

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C (A). No. 1030 of 2021

Rakesh Kumar Jaiswal S/o Kismis Prasad Jaiswal, Aged About 46 Years, R/o Gram Post - Pandari, Tehsil - Wardraf Nagar, District - Balrampur, Police Station - Raghunath Nagar, District - Balrampur, Chhattisgarh.

----Applicant

Versus

State of Chhattisgarh Through Police Station ACB, Bilaspur, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Saumya Sharma, Advocate.
For State	: Mr. Vimlesh Bajpai, GA.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

23/09/2021

1. After rejection of anticipatory bail application by the Court below concerned vide order dated 16.04.2007, applicant has filed anticipatory bail application annexing photocopy of certified copy of order dated 16.04.2007 stated to be issued by copying section of District and Sessions Court, Ambikapur, Surguja.
2. The case is listed in default of non-filing of certified copy alongwith bail application, as envisaged under the CG High Court Rules, 2007.
3. Learned counsel for the applicant submits that applicant has tried his level best to obtain certified copy of order dated 16.04.2007, but he could not be able to obtain the same from Copying Section of the Court at Ramanujganj. She further submits that on 03.09.21, applicant has filed an application before Court at Ramanujganj, which was returned back mentioning therein that record of rejection order of anticipatory bail application passed by the First Additional & Sessions Judge, Ambikapur, Sarguja is not available in Record Room of Court of Ramanujganj. Thereafter applicant moved an application for supply of certified copy of

order dated 16.04.2007 before the Court at Ambikapur, Sarguja, a copy of which is filed along-with covering memo dated 16.09.2021 in which also it is mentioned that records are not available.

4. Perusal of copy of application dated 10.09.2021 would show that case number is mentioned as 40/1998 and certified copy of which was sought is order dated 28.03.2007. This application was returned back with a note that case number mentioned in application was not found to be decided. In bail rejection order, number of bail application is mentioned as '171/2007' dated 16.04.2007, copy of which has not been sought for by applicant from Court at Ambikapur.
5. At this stage, learned counsel for the applicant seeks permission of this Court to withdraw this bail application with liberty to revive the same after obtaining certified copy of bail rejection order.
6. Learned State Counsel submits that he is having no objection to the prayer made by learned counsel for the applicant.
7. Prayer is allowed.
8. Accordingly, bail application is dismissed as withdrawn with liberty as prayed for.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-