

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1459 of 2020**

1. Albinus Tirky And Another S/o Late Shri S.L. Tirky, Aged About 56 Years Accounts Officer (Suspended), R/o Village - Niyanar, Tahsil - Jagdalpur, District - Jagdalpur (Bastar) Chhattisgarh
2. Helarius Kujur S/o Late Shri Lajrus Kujur, Aged About 55 Years Accounts Officer (Suspended), R/o 132 KV Sub Station Colony, Geedam Road, Jagdalpur, District - Bastar Chhattisgarh

---- Applicants**Versus**

1. State Of Chhattisgarh Through The Station House Officer, Police Station - Bodhghat, District - Bastar Chhattisgarh

---- Respondent

For Applicants	:	Shri Goutam Khetrapal, Advocate
For State	:	Ms. Sunita Jain, Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****24/05/2021**

Learned counsel for the applicants seeks to withdraw this anticipatory bail application. However, with liberty to surrender and apply for grant of regular bail. He would submit that looking to the present circumstances and that the applicants are now retired Government Servant, the Court below may be directed to consider their bail application on the same date.

Taking into consideration the submission, the anticipatory bail application is dismissed as withdrawn. Further, it is observed that in case, the applicants surrender and apply for grant of bail under Section 439 CrPC, the same shall be considered and decided at the earliest and in any case not later than 3 days. It is made clear that withdrawal of this bail application shall not come in the way of the Court below in deciding application under Section 439 CrPC on its own merits.

Sd/-
(Manindra Mohan Shrivastava)
 Vacation Judge