

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 1008 of 2021**

- Nutan Kaushik S/o Manoj Kaushik, aged about 20 years, Residence of Vishrampuri Jangalpara, P.S. Vishrampuri District – Kondagaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through Police Station – Keshkal, District – Kondagaon (C.G.)

---- State/Non-Applicant

For Applicant : Ms. Varsha Sharma, Advocate

For Non-Applicant/State : Shri Adil Minhaz, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****27.09.2021**

1. This Cr.M.P. is filed by the applicant under Section 482 of Cr.P.C. for recalling of order dated 16.09.2021 passed in Cr.A. No. 1019/2021.
2. Heard.
3. Admit.
4. With the consent of learned counsel for the parties, the matter is heard finally.
5. Learned counsel for the applicant submits that this Cr.M.P. is filed by the applicant under Section 482 of Cr.P.C. for recalling of order dated 16.09.2021 passed in Cr.A. No. 1019/2021 whereby the said bail was dismissed as withdrawn as the appellant had wrongly filed bail in place of application under Section 439 Cr.P.C. against bail rejection order dated 13.08.2021 of the court below. It is submitted that while passing the order dated 16.09.2021, this Court had directed the Registry to return certified copy of the impugned order to the counsel for the appellant after retaining the photocopy of the same. However, there is no mention in the said order about return of the certified copy of the impugned order. Hence, this CrMP.
6. On the other hand, learned counsel for the State has no objection.
7. Accordingly, the Cr.M.P. is allowed and Registry is directed to return the certified copy of the impugned order dated 13.08.2021 of the court below annexed with Cr.A. No. 1019/2021 to the counsel for the applicant after retaining the photocopy of the same.
8. Certified copy today.

Sd/-
(Gautam Chourdiya)
Judge