

(2022) 04 JH CK 0003

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 2454 Of 2021

Ashwani Kumar Sharma @ Senki

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 01-04-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2022) 04 JH CK 0003

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Shyam Narsaria, Sunil Kumar Dubey

Final Decision : Disposed Of

Judgement

Anil Kumar Choudhary, J

Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed under Section 482 Cr.P.C. by the petitioner with a prayer for modification of the order dated 20.01.2020 passed in A.B.A. No.7029 of 2019.

It is submitted by the learned counsel for the petitioner that vide order dated 20.01.2020 passed in A.B.A. No.7029 of 2019, the petitioner was given the privileges of anticipatory bail by this Court and was directed to surrender before the court below within four months and he was further directed to deposit a demand draft of Rs.61,000/- as ad interim victim compensation drawn in favour of the opposite party no.2 but due to paucity of money, the petitioner could not arrange and deposit the said demand draft drawn in favour of the opposite party no.2 thus, the petitioner could not surrender within the stipulated time. It is next submitted that in the meanwhile the petitioner has arranged the money and deposited the said demand draft drawn in favour of the opposite party no.2 in terms of the order dated 20.01.2020 passed in A.B.A. No.7029 of 2019 and the receipt of same has been annexed with the supplementary affidavit. It is next

submitted that now the petitioner is ready to surrender before the learned court below, hence, it is submitted that the time period for the petitioner to surrender before the court below in terms of the order dated 20.01.2020 passed in A.B.A. No.7029 of 2019 be extended by six weeks from the date of this order.

Considering the aforesaid submission of the learned counsel for the petitioner, the prayer for extension of the time for the petitioner to surrender in the court below in terms of the order dated 20.01.2020 passed in A.B.A. No.7029 of 2019 is allowed. Hence, the petitioner is directed to surrender before the court below "within six weeks from the date of this order in terms of the order dated 20.01.2020 passed in A.B.A. No.7029 of 2019".

The order dated 20.01.2020 passed in A.B.A. No.7029 of 2019 is modified to the aforesaid extent.

This criminal miscellaneous petition is disposed of accordingly.