

(2022) 01 JH CK 0006

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 2140 Of 2021

Deepak Manjhi @ Dipak Manjhi

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 19-01-2022

Acts Referred:

Citation : (2022) 01 JH CK 0006

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Amit Kumar Sinha, Priya Shrestha

Final Decision : Disposed Of

Judgement

Sanjay Kumar Dwivedi, J

This petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

This petition has been filed for quashing the order dated 07.03.2020 by which the bail bonds of the petitioner has been cancelled and N.B.W has been issued in Pakuria P.S.Case No.26 of 2017, corresponding to G.R.No.298 of 2017 pending in the court of learned Judicial Magistrate First Class, Pakur.

The learned counsel for the petitioner submits that the petitioner was granted bail by order dated 17.05.2019 in B.A. No.1900/2019 by this Court and accordingly the bail bonds were submitted and the petitioner was enlarged on bail. He submits that by the said order, the petitioner was directed to

appear before the learned trial court on each and every date till conclusion of the trial, but thereafter the petitioner has not appeared and the court was

compelled to pass such order. The learned counsel for the petitioner submits that the petitioner will appear in the court and will co-operate in the trial.

Mrs. Priya Shrestha, the learned counsel for the respondent State submits that she has filed the counter affidavit and in paragraph nos.10 and 11 of

the said counter affidavit, it has been disclosed that in the several orders it appears that the petitioner has not appeared. She submits that the trial of

co-accused is proceeding and the petitioner is absconding.

In view of the above fact and considering that the petitioner is ready to appear in the concerned court and will co-operate in the trial as submitted by

the learned counsel for the petitioner, in the interest of justice, it will suffice that the petitioner shall appear in the concerned court on or before

07.02.2022.

If the petitioner will appear on or before that day, the impugned order shall not be given effect to.

The petitioner shall be allowed to remain on the same bail bond which has been cancelled.

It is made clear that if the petitioner fails to appear on or before the date fixed by this Court, the trial court shall take all coercive measures against the

petitioner.

With the aforesaid observation and direction, Cr.M.P.No. 2140 of 2021 stands disposed of.