

(2023) 08 JH CK 0001

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 2257 Of 2023

Md. Abul Kalam @ Md. Abdul Kalam And Others

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 02-08-2023

Acts Referred:

Citation : (2023) 08 JH CK 0001

Hon'ble Judges : Deepak Roshan, J

Bench : Single Bench

Advocate : Naresh Pd. Thakur, Nawin Kr. Singh

Final Decision : Allowed/Disposed Of

Judgement

Deepak Roshan, J

1. Learned counsel for the petitioner seeks permission to remove the defects as pointed by the office in course of the day. He is permitted to remove the same.
2. The instant application has been preferred by the petitioner praying for modification of the judgment dated 08.02.2023 passed in Cr. Rev. No. 163 of 2007, whereby conviction was confirmed; however, the sentence was modified to the extent that the petitioners were sentenced to undergo for the period already undergone subject to payment of fine of Rs.20,000/-each before the Secretary, DLSA, Dhanbad within a period of four months from the date of order, failing which they shall serve rest of the sentence as directed by the learned trial court.
3. Learned counsel for the petitioner submits that due to poverty and lack of money, the petitioners could not arrange the money and could not deposit the amount within the stipulated period. He further submits that the petitioners are ready to comply the order within the specified period as may be granted by this Court. In this view of the matter learned counsel for the petitioner prays that the original order dated 08.02.2023 passed in Cr. Rev. No. 163 of 2007 may be modified to the extent that the petitioners may be granted liberty to deposit the

aforesaid fine amount within a further period of Four Weeks from today.

4. Learned APP does not have any serious objection.

5. In view of the aforesaid facts and circumstances of the case and arguments adduced by the parties, the original order dated 08.02.2023 passed in Cr. Rev. No. 163 of 2007, is hereby, modified to the extent that the petitioners are directed to pay the fine amount of Rs.20,000/-each before the Secretary, DLSA, Dhanbad within a further period of four weeks from today.

6. It is made clear that the petitioners shall be discharged from the liability of their bail bonds only on the fulfillment of the aforesaid condition.

7. With the aforesaid modification in the order dated 08.02.2023 passed in Cr. Rev. No. 163 of 2007, the instant Cr.M.P. stands allowed and disposed of.

8. Let a copy of this order be sent to the court concerned through "FAX".