



IN THE HIGH COURT OF JHARKHAND AT RANCHI  
Cr.M.P. No. 622 of 2017

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Mangal May Chakraborty S/o Amiyo Gopal Chakraborty, R/o  
Poddardih Near Hari Mandir, P.O. & P.S. Nirsa, District Dhanbad  
... .. Petitioner

Versus

1. The State of Jharkhand  
2. Pintu Kumar Nishad, S/o Ram Chandu Nishad, R/o Mukunda, P.S.  
Tishra, Jharia, Dist. Dhanbad ... .. Opp. Parties

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**CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

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For the Petitioner : Mr. Deepankar, Advocate  
For the Opp. Parties : Mr. Hardeo Pd. Singh, A.P.P.

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03/06.04.2017 Heard Mr. Deepankar, learned counsel for the petitioner and Mr.  
Hardeo Pd. Singh, learned A.P.P. for the State.

This application is directed against the order dated 23.04.2016 passed by the learned Judicial Magistrate, Dhanbad in connection with Complaint Case No. 1977 of 2013 by virtue of which bail bond of the petitioner has been cancelled and non-bailable warrant of arrest has been ordered to be issued against him.

It has been stated by the learned counsel for the petitioner that the substance of the accusation was explained on 09.09.2015 and on 26.11.2015 the petitioner had appeared in person but subsequently the petitioner could not appear on 23.04.2016 leading the court to order for coercive steps against the petitioner. It has been stated that the petitioner undertakes to appear on each and every date physically before the learned court below.

Learned A.P.P. has opposed the prayer made by the petitioner.

It appears that on 09.09.2015 the substance of the accusation was explained to the petitioner where both the parties were present. It further appears that on 21.03.2016 the accused were directed to be physically present. However, on 23.04.2016 the petitioner did not appear leading the learned court below to pass an order for cancelling bail bond of the petitioner and issuing non-bailable warrant of arrest against the petitioner. Subsequently on 26.07.2016 proclamation under Section 82 Cr.P.C. has been ordered to be issued. It appears that on account of absence for a day coercive steps have been ordered to be



taken against the petitioner. However, taking a considerate view of the matter since an undertaking has been given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned trial court on the next date of hearing and if he appears on the said date the orders directing for taking of coercive steps against the petitioner shall be kept in abeyance. It is also directed that the petitioner shall remain physically present on each and every date till the conclusion of the trial and if the petitioner even for a day remains absent the orders dated 23.04.2016 and 26.07.2016 shall automatically revive.

This application stands disposed of with the aforementioned directions.

(Rongon Mukhopadhyay, J.)