

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. M.P. No.1313 of 2021

Binod Kumar Keshri @ Binod Keshri ... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : None
For the State : None

Order No.02 Dated- 30.07.2021

The matter is taken up through video conferencing.

No one turns up on behalf of the parties.

Perusal of the record reveals that this criminal miscellaneous petition has been filed by the petitioner with a prayer for modification of the order dated 19.03.2021 passed in A.B.A. No.851 of 2021.

Perusal of the record reveals that vide order dated 19.03.2021 passed in A.B.A. No.851 of 2021, the petitioner was directed to surrender before the court below within six weeks and he was further directed to deposit a demand draft of Rs.10,000/- drawn in favour of the informant. It is next averred that due to COVID-19 pandemic and in terms of direction of Bar Council of Jharkhand, the advocates of the Civil Court, Giridih were not attending the court, hence, the petitioner could not surrender within the stipulated time. It is further averred that in the meanwhile the petitioner has already prepared the demand draft of Rs.10,000/- drawn in favour of the informant, the copy of which has been annexed with the brief and kept at Annexure-2 page-10 of the brief. Perusal of the record further reveals that the said demand draft has already become invalid due to efflux of time. It is further averred that now the petitioner is ready and willing to surrender before the learned court below and unless six weeks' extension is granted to the petitioner, the petitioner will be highly prejudiced.

Considering the facts of the case, the prayer for extension of time for the petitioner to surrender in the court below in terms of the order dated 19.03.2021 passed in A.B.A. No.851 of 2021 is extended by six weeks from the date of this order. The order dated 19.03.2021 passed in A.B.A. No.851 of 2021 is modified

by directing the petitioner to surrender within six weeks from the date of this order in terms of the order dated 19.03.2021 passed in A.B.A. No.851 of 2021 subject to the condition that the petitioner will deposit a fresh demand draft of Rs.10,000/- drawn in favour of the informant at the time of his surrender in the learned court below.

The order dated 19.03.2021 passed in A.B.A. No.851 of 2021 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Animesh/