

(2024) 10 JH CK 0067

Jharkhand High Court

Case No: Criminal Miscellaneous Petition No.1718 Of 2024

Surya Narayan Hansda

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Oct. 15, 2024

Acts Referred:

- Code of Criminal Procedure, 1973 - Section 313, 317, 482

Hon'ble Judges: Anil Kumar Choudhary, J

Bench: Single Bench

Advocate: Aman Shekhar, Rajesh Kumar, Shailesh Kr. Sinha

Final Decision: Disposed Of

Judgement

Â Anil Kumar Choudhary, J

1. Heard the parties.

2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 482 of Code of Criminal Procedure with a

prayer to quash and set aside the order dated 30.04.2024 passed by the learned Additional Sessions Judge-I, Sahibganj in S.T. Case No.123B/2007 by

which the learned Additional Sessions Judge-I, Sahibganj rejected the prayer of the petitioner filed through his Advocate under Section 317 Cr.P.C.

for dispensing with his personal appearance on the ground of his illness without enclosing any document regarding his illness and directed the office to

issue NBW.

3. The learned counsel for the petitioner undertakes on behalf of the petitioner that the petitioner will surrender before the learned Additional Sessions

Judge-I, Sahibganj at 10:30 AM on 13.11.2024 and cooperate with the recording of his statement under Section 313 Cr.P.C.

4. Considering the undertaking given by the petitioner, this Cr.M.P. is disposed of with the direction to the petitioner to surrender before the learned

Additional Sessions Judge-I, Sahibganj at 10:30 AM on 13.11.2024 and cooperate with the recording of his statement under Section 313 Cr.P.C. on

the petitioner's or surrendering, the learned Additional Sessions Judge-I, Sahibganj is directed to take him into judicial custody and to record the

statement of the petitioner under Section 313 Cr.P.C. in connection with S.T. Case No.123B/2007 on 13.11.2024 itself. In case, the petitioner

surrenders at 10:30 AM on that day in that Court; the petitioner is at liberty to make a prayer for regular bail after recording of the statement under

Section 313 Cr.P.C. and in case the petitioner prays for regular bail after recording of his statement under Section 313 Cr.P.C., the learned Additional

Sessions Judge-I, Sahibganj is directed to release him on regular bail on furnishing fresh bail bond of Rs.25,000/-(Twenty Five Thousand) and two

sureties with any condition to be imposed by the learned Additional Sessions Judge-I, Sahibganj.

5. This Cr.M.P. is disposed of accordingly.