

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1723 of 2015
with
I.A. No. 132 of 2019

Md. Fattahur Rahman Khan & Ors. Petitioners
Versus
The State of Jharkhand & Anr. Opposite Parties

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Jai Prakash Sr. Advocate
For the State : A.P.P.
For the O.P. No. 2 : Mr. Bijay Kumar Mishra, Advocate.

04/ 07.09.2021 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.

Mr. Bijay Kumar Mishra, learned counsel appearing for the O.P. No. 2 at the very outset submits that O.P. No. 2 has taken his file from him, although NOC has not been obtained and the file is not with him. He seeks two weeks time for taking instruction in this case.

I.A. No. 132 of 2019 has been filed for extension of the interim order granted earlier, vide order dated 29.09.2015.

Learned senior counsel appearing for the petitioners submits that the concerned court is proceeding in the matter and also in view of the judgment passed by the Hon'ble Apex Court, in the case of *Asian Resurfacing of Road Agency Pvt. Ltd. & Anr. Versus Central Bureau of Investigation*, reported in (2018) 16 SCC 299, the aforesaid interlocutory application has been filed.

In view of the above facts and considering that the O.P. No. 2 is praying for time for seeking instructions and this criminal miscellaneous petition is still pending, the prayer made in the aforesaid interlocutory application is allowed. As such the interim order dated 29.09.2015 is extended till the next date of listing.

The aforesaid interlocutory application stands allowed and disposed of.

Post this case on 06.12.2021.

(Sanjay Kumar Dwivedi, J.)