

IN THE HIGH COURT OF JHARKHAND, RANCHI
Cr.M.P. No. 1854 of 2021

Raja Kazi @ Kazi Raja @ Raja Kaji, aged about 27 years, s/o Kazi Nazibul,r/o
Barsa Hospital Colony, O.P.Amra Soti, PO and PS Raniganj, District
Burdwan(West Bengal) Petitioner

-- Versus --

State of Jharkhand

..... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Tarun Kumar No.1, Advocate
For the State :- Mr. Abhay Kr. Tiwari, APP

3/07.09.2021 Heard Mr. Tarun Kumar No.1, the learned counsel for the petitioner
and Mr. Abhay Kr. Tiwari, the learned counsel for the State.

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. None of the parties have complained about any technical
snag of audio-video and with their consent this matter has been heard.

The petitioner has filed this petition for quashing of the order dated
12.10.2020 whereby the warrant of arrest has been issued against the petitioner.
The petitioner has also challenged the order dated 10.06.2021 by which order the
processes under section 82 Cr.PC has been directed to be issued against the
petitioner in connection with Bagodar PS Case No.3 of 2017, G.R.No.52/2017,
pending in the court of Chief Judicial Magistrate, Giridih.

Mr. Tarun Kumar No.1, the learned counsel for the petitioner submits
that warrant of arrest has been issued without any execution of report. He further
submits that processes under section 82 Cr.PC is also without proper satisfaction of
the Magistrate which needs to be quashed.

Perused the order dated 12.10.2020 whereby it transpires that the
learned court has considered so many judgments of Hon'ble Supreme Court with
regard to arrest, imprisonment and the deprivation of the most precious right of an
individual given there and the courts have to be extremely careful before issuing
non-bailable warrant.

Considering that when the petitioner's house was raided by the A.S.I
on 06.03.2021 and the petitioner was evading arrest and that is why the warrant of
arrest against the petitioner has been issued. This order is not required to be
interfered with as this order is well reasoned order. The order dated 10.06.2021 is
also a speaking order and the concerned court has taken care of entire parameters
of section 482 Cr.PC. The court has also indicated date, time and place of
appearance of the petitioner. There is no illegality in the impugned order dated
10.06.2020. No interference is required.

Accordingly, Cr.M.P.No.1854 of 2021 stands dismissed.

(Sanjay Kumar Dwivedi, J)

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