

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. M.P. No.1879 of 2021

Mustakim @ Md. Mustakim	...	Petitioner
Versus		
The State of Jharkhand	...	Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner	: Mr. Rajesh Kr. Mahtha, Advocate
For the State	: Mr. Shailesh Kr. Sinha, Addl.P.P.

Order No.02 Dated- 03.09.2021

Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed by the petitioner with a prayer for modification of the order dated 15.06.2021 passed in A.B.A. No.2641 of 2021.

It is submitted by the learned counsel for the petitioner that vide order dated 15.06.2021 passed in A.B.A. No.2641 of 2021, the petitioner was directed to surrender before the court below within six weeks and he was further directed to deposit cash security of Rs.5,000/-. It is next submitted that because of ongoing COVID-19 situation, the petitioner could not arrange money to deposit cash security; hence, the petitioner could not surrender within the stipulated time. It is also submitted that in the meantime the petitioner has arranged money to deposit the said amount of cash security and he undertakes to deposit the same at the time of his surrender in the learned court below. It is then submitted 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. Hence, it is submitted that the time period for the petitioner to surrender before the court below in terms of the order dated 15.06.2021 passed in A.B.A. No.2641 of 2021 be extended by six weeks from the date of this order.

Considering the aforesaid submission of the learned counsel for the petitioner, the prayer for extension of time for the petitioner to surrender in the court below in terms of the order dated 15.06.2021 passed in A.B.A. No.2641 of 2021 is extended by six weeks from the date of this order. The order dated 15.06.2021 passed in A.B.A. No.2641 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 15.06.2021 passed in A.B.A. No.2641 of 2021 subject to the condition that he

will furnish the cash security of Rs.5,000/- at the time of his surrender in the learned court below.

The order dated 15.06.2021 passed in A.B.A. No.2641 of 2021 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Animesh/