

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. M.P. No.1910 of 2021

1. Md. Kunal @ Md. Arman
2. Md. Barku Khan @ Imran Khan
3. Md. Mahfuz Ansari @ Ehhatu Ansari @ Chhotu @ Mahfuz Ansari
... Petitioners

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Md. Zaid Ahmed, Advocate
For the State : Ms. Ruby Pandey, Addl.P.P.

Order No.02 Dated- 10.09.2021

Heard the parties through video conferencing.

Though in the cause-title, learned counsel for the petitioners mentioned the name of all the three petitioners but he prays for extension of time for the petitioner No.1 namely Md. Kunal @ Md. Arman.

This criminal miscellaneous petition has been filed by the petitioner No.1 namely Md. Kunal @ Md. Arman with a prayer for modification of the order dated 16.03.2021 passed in A.B.A. No.741 of 2021.

It is submitted by the learned counsel for the petitioners that vide order dated 16.03.2021 passed in A.B.A. No.741 of 2021, the petitioner No.1 namely Md. Kunal @ Md. Arman along with rest two petitioners was directed to surrender before the court below within six weeks and they were further directed to deposit cash security of Rs.5,000/- each. It is next submitted that because of financial constraint, the petitioner No.1 namely Md. Kunal @ Md. Arman could not arrange money to deposit cash security, hence, he could not surrender within the stipulated time. It is also submitted that in the meantime the petitioner No.1 namely Md. Kunal @ Md. Arman 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 No.1 namely Md. Kunal @ Md. Arman is ready and willing to surrender before the learned court below and unless six weeks' extension is granted to him, he will be highly prejudiced. Hence, it is submitted that the time period for the petitioner No.1 namely Md. Kunal @ Md. Arman to surrender before the court below in

terms of the order dated 16.03.2021 passed in A.B.A. No.741 of 2021 be extended by six weeks from the date of this order.

Considering the aforesaid submission of the learned counsel for the petitioners, the prayer for extension of time for the petitioner No.1 namely Md. Kunal @ Md. Arman to surrender in the court below in terms of the order dated 16.03.2021 passed in A.B.A. No.741 of 2021 is extended by six weeks from the date of this order. The order dated 16.03.2021 passed in A.B.A. No.741 of 2021 is modified by directing the petitioner No.1 namely Md. Kunal @ Md. Arman to surrender within six weeks from the date of this order in terms of the order dated 16.03.2021 passed in A.B.A. No.741 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 16.03.2021 passed in A.B.A. No.741 of 2021 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)