IN THE HIGH COURT OF JHARKHAND AT RANCHI
[Criminal Miscellaneous Jurisdiction]

B.A. No. 1115 of 2021

Vikash Kumar Das @ Vikash Das .... Petitioner(s)
Versus
The State of Jharkhand .. .. Opp. Party(s)

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CORAM :**HON'BLE MR. JUSTICE KAILASH PRASAD DEO**
(Through :-Video Conferencing)

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For the Petitioner(s) : Mr. Pran Pranay, Advocate.
For the State : Mr. Shailendra Kr. Tiwari, Spl. P.P.

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06 / 17.04.2021. It has been submitted by the learned counsel for the petitioner that earlier the prayer for bail of this petitioner was rejected vide order dated 13.10.2020 passed in B.A. No.6251 of 2020.

Learned counsel for the petitioner has submitted that on the same day, the other co-accused persons, namely, Ritesh Kumar Das in B.A. No.5890 of 2020, and Niranjan Das in B.A. No.5756 of 2020 have been enlarged on bail as such, considering the period of custody of the petitioner i.e. 18.06.2020, he may also be enlarged on bail.

Mr. Shailendra Kr. Tiwari, learned Spl. Public Prosecutor appearing for the Cyber Crime has submitted that he has orally enquired from the investigating officer of the case and it was informed that charge-sheet has already been submitted, but the charge has not been framed.

Learned counsel for the petitioner has submitted that since framing of charge is the duty of the court, as such, he cannot explain that why the charge has not been framed?

Considering the rival submission of the parties, let a report be called for from the learned Trial Court to the effect that even though the petitioner is in custody and the charge-sheet has been submitted then what is the legal impediment for the learned Trial court in framing the charge against the persons who are in custody.

The aforesaid report must be submitted within a period of three weeks from today.

List this case immediately after submission of the desired report.

Let a copy of this order be communicated through FAX to the learned Trial Court at once.

(Kailash Prasad Deo, J.)

Sandeep/