

IN THE HIGH COURT OF JHARKHAND, RANCHI

W.P.(Cr.) No. 88 of 2021

Abhishek @ Abhish Singh Rathor

..... Petitioner

-- Versus --

The State of Jharkhand and Others

..... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Anil Kumar Sinha, Sr. Advocate

For the Respondents:- ---

3/26.03.2021 Heard Mr. Anil Kumar Sinha, the learned Senior counsel for the petitioner.

On repeated calls nobody appears on behalf of the respondent nos.1 to 3.

This criminal writ 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.

Let notice be issued upon the respondents by registered post with A/D as well as under ordinary process for which requisites etc. must be filed within two weeks.

Mr. Sinha, the learned Senior counsel submits that Section 144 Cr.PC is a provision for emergent situation. He submits that on 9.2.2021 one application was filed before the authority concerned and on the same day the authority has passed the order restraining the petitioner to go on the land for 60 days. He submits that without hearing the petitioner this order has been passed which is against the mandate of the judgment in the case of "*Anuradha Bhasin v. Union of India*" (2020) 3 SCC 637.

In view of the above facts there shall be stay of further proceeding in Case No.M 277/2021, pending in the court of Sub Divisional Officer, Ranchi.

Post on 05.05.2021.

(Sanjay Kumar Dwivedi, J)

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