

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P. (Cr.) No.97 of 2020**

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Josmuddin Sk. .... Petitioner  
Versus  
The State of Jharkhand .... Respondent

**With**  
**Cr.M.P. No.1793 of 2017**

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1. Sanjay Singh  
2. Vijay Singh @ Bijay Singh .... Petitioners  
Versus  
1. The State of Jharkhand  
2. Manoj Kumar Singh .... Opposite Parties

**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

For the Petitioners : Mr. Kanti Kumar Ojha, Advocate  
(In W.P. (Cr.) No.97 of 2020)  
Mr. R.S. Mazumdar, Sr. Advocate  
(In Cr.M.P. No.1793 of 2017)  
For the Respondent-State : Ms. Pinky Tiwary, A.C. to A.G.  
(In W.P. (Cr.) No.97 of 2020)

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**07/26.03.2021** Heard Mr. Kanti Kumar Ojha, learned counsel for the petitioner and Mr. R.S. Mazumdar, learned senior counsel for the petitioners and Ms. Pinky Tiwary, learned counsel for the respondent-State.

This writ petition (criminal) and criminal miscellaneous petition have 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.

On 03.03.2021, at the request of learned counsel for the respondent-State, the matter was adjourned. Today, when the matter is taken up, again adjournment has been sought on behalf of respondent-State.

Mr. Kanti Kumar Ojha, learned counsel appearing for the petitioner submits that so far de novo trial is concerned that will govern in the light of the order of Hon'ble Supreme Court in the case ***Satyajit Banerjee & Others Versus State of West Bengal & Others*** reported in ***(2005) 1 SCC 115***. He submits that in the Court below date for framing of charge is fixed on 1<sup>st</sup> April, 2021.

In view of prayer made by learned counsel for the petitioner and learned counsel for the respondent-State and considering that 1<sup>st</sup> April, 2021 is fixed for framing of charge, further proceeding in connection with S.T. No.81 of 2016 pending in the Court of Principal District & Sessions Judge, Pakur shall remain stayed till the next date of listing.

Post this matter on 4<sup>th</sup> May, 2021.

**(Sanjay Kumar Dwivedi, J.)**