

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2639 of 2016**

Mr. Devendra Kumar PathakPetitioner
Versus
The State of Jharkhand & Anr. Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Bharat Kumar, Advocate
For the State : Mr. Ashok Kumar, A.P.P.

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06/05.04.2021 Heard, Mr. Bharat Kumar, learned counsel for the petitioner and Mr. Ashok Kumar, learned counsel for the State.

This 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.

One of the contention of the learned counsel for the petitioner is that company is not accused in the Complaint Case No. 49 of 2016 and petitioner is the Branch Manager. He submits that petitioner is not coming within section 11 of the Indian Penal Code. He submits that the case of the petitioner is fully covered with judgment in the case of "**S. Nagarajan Vs. State of Jharkhand & Anr.**" reported in **2020(3) JLJR 299**. Learned counsel for the petitioner further submits that the stay has already been granted vide order dated 04.04.2017 and I.A. No. 1698 of 2021 has been filed for extension of the stay granted by this Court.

In view of the aforesaid facts and considering the averments made in the interlocutory application, prayer is allowed.

Interim order dated 04.04.2017 is extended till the next date of listing.

I.A. No. 1698 of 2021 stands disposed of.

Post the matter on 16.06.2021.

(Sanjay Kumar Dwivedi, J.)

Satyarthi/-