2026:JHHC:13307

IN THE HIGH COURT OF JHARKHAND, RANCHI

A.B.A. No. 2057 of 2026

XXXX .... Petitioner

-- Versus --

1.The State of Jharkhand
2.YYYY .... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Vipul Poddar, Advocate
For the State :- Mr. Naveen Kumar Ganjhu, Advocate

2/05.05.2026 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Protest Cum Complaint Case No.276 of 2015 (arising out of P.C.R Case No.1228 of 2013) (Sarwan PS Case No.126 of 2014), for offence registered under section 376(2)(k), 323 and 379 of IPC, pending in court of learned Judicial Magistrate First Class, Deoghar.

3. Learned counsel for petitioner submits that for the alleged occurrence, Sarwan P.S. Case No.126 of 2014 was registered which was investigated by the police and final form has been submitted and the petitioner has not been sent up for trial. He next submits that on the protest petition, the learned counsel has been pleased to take cognizance against the petitioner and has issued summons against the petitioner.

4. Learned State counsel opposes prayer and submits that as the summons has been issued against the petitioner, there is no apprehension of arrest.

5. In view of above, the case is converted into the complaint case and on query made by the Court, the learned counsel for the petitioner submits that NBW has not been issued against the petitioner, and in that view of the matter, the petitioner is having no apprehension of arrest and as such the petitioner is required to comply the summons.

6. Accordingly, this petition being A.B.A. No.2057 of 2026 is disposed of with liberty to the petitioner to comply the summons.

(Sanjay Kumar Dwivedi, J.)

05.05.2026
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