IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1113 of 2026

Sukumar Patra @ Sukumar Patar son of Khagen Patar, aged about 35 years, resident of Manpada, P.O. and P.S. Jammani, District—West Medinipur, West Bengal. … Petitioner

Versus

The State of Jharkhand ⋯ Opposite Party

For the Petitioner : Mr. Preetam Mandal, Advocate.
Mr. Avik Ghose, Advocate.
For the State : Mrs. Shweta Singh, Add.P.P.

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- Heard the parties.

2. This Criminal Miscellaneous Petition has been filed invoking the jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the prayer to quash the order dated 15.12.2025 passed by the learned A.C.J.M., Ghatshila in connection with in Dhalbhumgarh P.S. Case No. 10 of 2019 whereby and where under the learned A.C.J.M., Ghatshila has issued the process under Section 82 of the Cr.P.C.

3. The brief facts of the case are that the Investigating Officer has filed a petition for issuance of the process under Section 82 of the Cr.P.C. The learned A.C.J.M., Ghatshila after being satisfied that the petitioner is absconding and evading his arrest, has directed to issue the proclamation under Section 82 of the Cr.P.C. by fixing the time and place for

appearance of the petitioner who is one of the accused persons of the case. It is next submitted by learned counsel for the petitioner that the allegation against the petitioner is false. The learned court below has taken hyper-technical view and issued the process under Section 82 of the Cr.P.C. which is bad in law. Hence, it is submitted that the prayer as prayed for in this Cr.M.P. be allowed.

4. The learned Additional Public Prosecutor on the other hand vehemently opposes the prayer of the petitioner made in this Cr.M.P. and submits that there is no illegality committed by the learned A.C.J.M., Ghatshila by issuing the process under Section 82 of the Cr.P.C. Hence, it is submitted that this Cr.M.P. being without any merit, be dismissed.

5. Having heard the submissions made at the bar and after carefully going through the materials available in the record, this Court finds that the learned A.C.J.M., Ghatshila has recorded his satisfaction that petitioner is absconding and evading his arrest and being thus satisfied, has issued the process under Section 82 of the Cr.P.C. by fixing the time and place for appearance of the petitioner who is one of the accused persons of the case.

6. Under such circumstances, this Court do not find any illegality in the impugned order dated 15.12.2025 passed by the learned A.C.J.M., Ghatshila in connection with in Dhalbhumgarh P.S. Case No. 10 of 2019 warranting interference of this Court in exercise of its power under Section 528 of the B.N.S.S., 2023.

7. Accordingly, this Cr.M.P. being without any merits is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 27th of April, 2026
AFR/ Amar

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