(2026:JHHC:28984)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 2951 of 2026

Sunil Kumar, aged about 54 years, S/o Late Pitamber Paswan, Executive, KVIC, State office, Sambalpur, Resident of Sambalpur, P.O. & P.S. –Sambalpur, District –Sambalpur (Odisha), Permanent Resident of Village –Basudeopur, P.O. – Basudeopur, P.S. –Negra, District –Samastipur, Bihar.

.... …. Petitioner

Versus

Central Bureau of Investigation, Anti-Corruption Bureau, P.O. & P.S. –Gonda, District –Ranchi, Jharkhand.

.... Opp. Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Kanti Kumar Ojha, Advocate
For the C.B.I. : Mr. Deepak Kumar Bharti, Advocate

Order No.02 Dated- 25.09.2026

Heard the parties.

This criminal miscellaneous petition has been filed under section 528 of the B.N.S.S., 2023 by the petitioner with the prayer to modify the order dated 05.08.2021 passed in A.B.A. No. 1193 of 2020 and also the order dated 28.11.2025 passed in Cr.M.P. No. 3282 of 2025, both the orders passed by this Bench in the light of the order dated 21.07.2026, passed by the Hon'ble Supreme Court of India in Special Leave to Appeal (Criminal) No(S). 6257-6258 of 2026; by allowing extension of the period for surrendering of the petitioner in the court below.

Perusal of the record reveals that the order dated 05.08.2021 passed in A.B.A. No. 1193 of 2020 as well as the order dated 28.11.2025 passed by this Court in Cr.M.P. No. 3282 of 2025 was impugned before the Hon'ble Supreme Court of India in Special Leave to Appeal (Criminal) No(S). 6257-6258 of 2026 and the same has been disposed of vide order dated 21.07.2026 passed by the Hon'ble Supreme Court of India.

It is submitted by the learned counsel for the petitioner that due to prolonged illness and financial hardship of the petitioner,

the condition imposed upon him vide order dated 05.08.2021 in A.B.A. No. 1193 of 2020 could not be complied with within the time fixed by this Court. Hence, it is submitted that the prayer as prayer for in this criminal miscellaneous petition be allowed.

The learned counsel for the C.B.I. on the other hand submits that since the Hon'ble Supreme Court of India has already passed the final order in the said Special Leave to Appeal (Criminal) No(S). 6257-6258 of 2026, hence no indulgence of this Court is warranted in this case.

Considering the facts that the Hon'ble Court has already passed orders on merit in the matter of both the orders; in respect of which extension of time period is sought, this Court is of the considered view that in view of the order having been passed on merit by the Hon'ble Supreme Court of India in the matter, there is no justifiable reason for this Court to further pass any order in the matter; in respect of which final order has already been passed by the Hon'ble Supreme Court of India.

Accordingly, this criminal miscellaneous petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

25.09.2026
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