**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**Cr.M.P. No. 2827 of 2026**

Ashim Kumar Ghosh, aged about 59 years, son of Rabindra Nath Ghosh, resident of House No. 42, Chirkunda, Near Bank of India, P.O.+P.S. –Chirkunda, District –Dhanbad.

.... Petitioner

Versus

1. The State of Jharkhand
2. M/s Cholamndalam Investment & Finance Co. Ltd. Having its office at 7th Floor Ozone Centre, Ashok Nagar, P.O.+P.S. – Bankmore, District –Dhanbad through its lawful attorney Ranjeet Sharma, son of Sri S.S. Thakur, having its office at 7th Floor Ozone Centre, Ashok Nagar, P.O.+P.S. Bankmore, District –Dhanbad.

…. Opp. Parties

**P R E S E N T**

**HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Pratik Sen, Advocate
For the State : Mr. Vineet Kr. Vashistha, Spl. P.P.

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***By the Court:-***

1. Heard the parties.

2. This criminal miscellaneous petition has been filed invoking the jurisdiction of this Court under Section 528 of the BNSS, 2023 with the prayer to quash and set aside the order dated 30.07.2026, passed by the learned Judicial Magistrate -1st Class, Dhanbad in connection with C.P. Case No. 725 of 2018 by which the learned Judicial Magistrate -1st Class, Dhanbad has cancelled the bail granted to the petitioner consequent upon non-appearance of the petitioner in the court concerned and

issued Non-Bailable Warrant of Arrest against the petitioner when the case was fixed for judgment.

3. The learned counsel for the petitioner drawing attention of this Court to page no. 31 of the brief which is annexure-4 submits that the same is the copy of the certified copy of the petition under Section 355 BNSS filed on behalf of the petitioner in the said case on 30.07.2026 and probably the same was not considered by the learned trial court while passing the order dated 30.07.2026 because of oversight, hence in the said order dated 30.07.2026, order has been passed for cancellation of the bail granted to the petitioner directing issuance of Non-Bailable Warrant of Arrest against the petitioner; without considering the prayer of the petitioner to be represented by his Advocate on the said it. It is next submitted by the learned counsel for the petitioner that the petitioner undertakes to surrender before the court of learned Judicial Magistrate -1st Class, Dhanbad on 18.09.2026 to which the case is next fixed and to make a prayer to recall the order by which non-bailable warrant of arrest has been issued against the petitioner, consequent upon cancellation of his bail.

4. Considering the undertaking given by the petitioner, this Cr.M.P. is disposed of with the direction to the petitioner to surrender before the court of learned Judicial Magistrate -1st Class, Dhanbad in connection with C.P. Case No. 725 of 2018 at

10:30 A.M. and may file a petition to recall the order for Non-Bailable Warrant of Arrest against the petitioner by filing the original certified copy of the petition under Section 355 of BNSS, the copy of which has been filed by him in this case, before the learned court concerned and in case he appears before the learned court concerned on 18.09.2026, the learned trial court is directed to pronounce the judgment in the said case on 18.09.2026.

5. This criminal miscellaneous petition is disposed of with the aforesaid direction accordingly.

6. Let a copy of this order be communicated to the court concerned through FAX at the cost of Rs.100/- per page to be borne by the petitioner.

**(Anil Kumar Choudhary, J.)**

High Court of Jharkhand, Ranchi
Dated the 15th September, 2026
AFR/Sonu-

Uploaded on 16.09.2026