IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3386 of 2026

Vikash Kumar @ Vikash Kumar Manjhi, aged about 19 years, Son of Kelu Manjhi @ Kailu Yadav, Resident of Gopalpur, Mushar Toli, P.O. & P.S. Chanan, District- Lakhisarai, State Bihar, PIN Code- 811310.

… Petitioner

Versus

The State of Jharkhand … Opposite Party

For the Petitioner : Mr. Rohan Mazumdar, Advocate.
For the State : Mr. Manoj Kr. Mishra, Addl.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 BNSS, 2023; with the prayer to quash the order dated 27.07.2026 passed by the learned Judicial Magistrate 1st Class, Dhanbad in connection with Putki (Bhagabandh O.P.) P.S. Case No. 38 of 2026 registered for the offences punishable under Sections 69, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 3 and 4 of the Dowry Prohibition Act.

3. The brief fact of the case is that, the investigating officer submitted the Execution Report of Non-Bailable warrant of arrest issued against the petitioner and made a prayer for issuance of process under Section 84 of the B.N.S.S., 2023. The learned Judicial Magistrate 1st Class, Dhanbad on being satisfied from the materials available in the record that the petitioner is evading his arrest, passed the said order of issuance of process under Section 84 of the B.N.S.S., 2023.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The learned Judicial Magistrate, 1st Class, Dhanbad ought not have directed for issuance of process under Section 84 of the B.N.S.S. as there is no material to show that the petitioner is removing his movable or immovable property. It is therefore, submitted that the prayer as prayed for in this Criminal Miscellaneous Petition be allowed.

5. Learned Additional Public Prosecutor on the other hand vehemently opposes the prayer and submits that the learned Judicial Magistrate, 1st Class, Dhanbad after being satisfied that the petitioner is absconding and evading his arrest, has recorded such satisfaction and fixing 14.09.2026 to be the date for appearance of the petitioner in the court concerned, has directed for issuance of process under Section 84 of the B.N.S.S., 2023. Hence, it is submitted there being no illegality in the impugned order, this Criminal Miscellaneous Petition being without any merit be dismissed.

6. Having heard the submissions made at the Bar and after going through the materials in the record, this Court finds that the learned Judicial Magistrate-1st Class, Dhanbad has recorded its satisfaction that the petitioner is evading his arrest and after recording such satisfaction has ordered for issuance of process under Section 84 of the B.N.S.S., 2023 fixing 14.09.2026 for appearance of the petitioner; who is the accused person of the said case and the said case also involves several Non-Bailable Offences. Therefore, this Court do not find any illegality in the said impugned order dated 27.07.2026 passed in connection with Putki

(Bhagabandh O.P.) P.S. Case No. 38 of 2026 warranting interference of this Court in exercise of its power under Section 528 of the B.N.S.S., 2023; with the said order.

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

8. In view of disposal of this criminal miscellaneous petition, pending I.As, if any, also stands disposed of being infructuous.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 05th November, 2026
AFR/ Amar

Uploaded on-07/11/2026