Neutral Citation No. (2026:JHHC:26368)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 1201 of 2024

Bindeshwari Singh, son of Late Sarju Singh @ Sarju Mandal, permanent resident of village: Deogaon Khanpur, PO: Sishwa, PS: Tarapur, District: Munger (Bihar) at the relevant time he was working as Junior Engineer, Lapung Block, PS: Lapung, PO: Ranchi, District: Ranchi (Jharkhand).

... Petitioner

Versus

The State of Jharkhand … Opposite Party

CORAM: **HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

For the Petitioner : Mr. A.K. Kashyap, Sr. Advocate
For the State : A.P.P.

03/01.09.2026

Heard Mr. A.K. Kashyap, learned senior counsel for the petitioner and learned A.P.P.

This application is directed against the order dated 30.07.2024, passed by the learned Judicial Magistrate-XIII, Ranchi in G.R. Case No. 5529 of 2010, arising out of Lapung P.S. Case No. 46 of 2010, whereby and whereunder, the application for discharge preferred by the petitioner has been rejected.

Submission has been advanced by the learned senior counsel for the petitioner that the impugned order dated 30.07.2024 does not contain any cogent reasons and the application for discharge has been rejected primarily on account of the fact that cognizance has been taken by the learned CJM based on sufficient materials in the case diary. It has also been submitted by the learned senior counsel for the petitioner that the impugned order being cryptic, deserves to be set aside.

Learned A.P.P. has opposed the prayer made in this application.

It appears on perusal of the impugned order dated 30.07.2024 that the allegations have been noted and the finding has been recorded by the learned trial Court that the learned CJM, Ranchi had taken cognizance vide order dated 11.02.2011 on the basis of sufficient material in the case diary to proceed against all the accused persons including the present petitioner. There does not appear to be any consideration of the materials available on record and merely on account of cognizance having been taken by the learned CJM, the learned trial Court thought it fit to reject the discharge application

preferred by the petitioner.

On consideration of the fact that impugned order dated 30.07.2024 does not contain any justifiable grounds and is apparently a cryptic order, the same is hereby quashed and set aside and the matter is remanded back to the learned trial Court to pass a fresh order in accordance with law after hearing both the parties within a period of four weeks from the date of receipt/production of a copy of this order.

This application stands allowed.

(RONGON MUKHOPADHYAY, J.)

01.09.2026
S.B. Uploaded on 02.09.2026