

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 97 of 2026

1. Rahul Kumar Tiwari @ Rahul Tiwari, aged about 41 years, son of Pramod Kumar
 2. Babita Tiwari, aged about 62 years, wife of Pramod Kumar
 3. Rohit Kumar, aged about 35 years, son of Pramod Kumar
 4. Madhuri Tiwari, aged about 37 years, wife of Rahul Kumar Tiwari
- All resident of Duplex No. S-92, Dayal City, Chota Govindpur, Near Railway Crossing, Post Gadra, Police Station Parsudih, Town Jamshedpur, District -East Singhbhum.

.... Petitioners

Versus

The State of Jharkhand Opposite Party

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

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For the Petitioners : Mr. Vikash Kumar, Advocate
For the State : Mrs. Kumari Rashmi, Addl. 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 B.N.S.S., 2023 with the prayer to quash the order dated 16.12.2025 passed by the learned Judicial Magistrate 1st Class, Jamshedpur in connection with Mango P.S. Case No.201 of 2025 whereby and where under, the learned Judicial Magistrate 1st Class, Jamshedpur has directed for issuance of the process under Section 82 of Cr.P.C after being satisfied that the

petitioners who are the accused persons of the said case were absconding or concealing themselves to evade their arrest.

3. It is submitted by the learned counsel for the petitioners that the petitioners are innocent and have not committed any offence and they have been falsely implicated in this case. It is further submitted that without application of judicial mind, the learned Judicial Magistrate -1st Class, Jamshedpur has directed for issuance of the proclamation under Section 82 of the Cr.P.C. Hence, it is submitted that the prayer as prayed for by the petitioners in this criminal miscellaneous petition be allowed.
4. The learned Additional Public Prosecutor on the other hand vehemently opposes the prayer and submits that the learned Judicial Magistrate -1st Class, Jamshedpur has recorded its satisfaction that the petitioners who are the accused persons of the case are absconding and concealing themselves to evade their arrest and has directed for issuance of the proclamation under Section 82 of Cr.P.C. fixing the time and place for appearance of the petitioners. Therefore, there is no illegality in the said order dated 16.12.2025 passed by the learned Judicial Magistrate 1st Class, Jamshedpur in connection with Mango P.S. Case No.201 of 2025. Hence, it is submitted that this criminal miscellaneous petition being without any merit be dismissed.
5. Having heard the submissions made at the Bar and after going through the materials in the record, this Court after perusal of the order dated 16.12.2025 passed by the learned Judicial Magistrate 1st Class, Jamshedpur in connection with Mango P.S. Case No.201 of

2025, finds that the learned Magistrate has recorded its satisfaction that the petitioners are absconding and concealing themselves to evade the execution of the non-bailable warrant of their arrest and being thus satisfied has directed for issuance of the proclamation under Section 82 Cr.P.C., fixing time and place for appearance of the petitioners who are the accused persons of the case.

6. Under such circumstances, this Court do not find any illegality in the order dated 16.12.2025 passed by the learned Judicial Magistrate 1st Class, Jamshedpur in connection with Mango P.S. Case No.201 of 2025, warranting interference of this Court in exercise of its power under Section 528 of B.N.S.S., 2023.
7. Accordingly, this criminal miscellaneous petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 21st January, 2026
AFR/Sonu-Gunjan/-

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