

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 1619 of 2026**

Sunil Kumar Sinha, son of Sidheshwar Prasad, aged  
about 52 years, R/o Village-Dheusa, P.O. Dheusa, P.S.  
and District-Sheikhpura, Bihar-811105.

..... ... Petitioner  
Versus  
The State of Jharkhand  
..... ... Opposite Party

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**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner : Mr. Saurabh Shekhar, Advocate.  
: Mr. Anjani Kumar, Advocate.  
For the State : Mr. S.K. Srivastava, A.P.P.  
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**04/ 15.04.2026** Heard learned counsel for the petitioner and learned A.P.P  
for the State.

2. The petitioner is apprehending his arrest in connection with  
Jainagar P.S. Case No. 06 of 2019 corresponding to G.R. No. 495 of  
2020, registered for the offence under Sections 306 and 34 of the Indian  
Penal Code, pending in the court of learned S.D.J.M., Koderma.

3. Learned counsel appearing for the petitioner submits that  
the petitioner has been falsely implicated in this case only on the basis  
of suspicion and there is nothing on record to point out the  
involvement of the petitioner in the death of the deceased. He next  
submits that the case was investigated by the police and final form has  
been submitted and the petitioner has not been sent up for trial. He also  
submits that the learned court by way of differing with the said final  
form has been pleased to take cognizance against the petitioner only on  
the ground that the allegations are there.

4. Learned A.P.P appearing for the State has opposed the  
prayer and submits that the final form has been submitted, however, the  
learned court differing with the said final form has been pleased to take

cognizance against the petitioner.

5. It is an admitted position that the petitioner has not been sent up for trial, however, the learned court by way differing with the said final form, has been pleased to take cognizance against the petitioner. There is no doubt that the learned court is empowered to take cognizance differing with the final form, however, cogent reasons are required to be disclosed. In the order taking cognizance what are the materials for taking cognizance against the petitioner after filing the final form has not been disclosed and in that view of the matter, the petitioner, named above, is directed to surrender before the learned Court within two weeks from today and the learned Court shall release the petitioner on such terms and conditions or the sureties as the learned Court may deem fit and proper.

**(Sanjay Kumar Dwivedi, J.)**

**Dated:-15.04.2026**  
*Amitesh/-*