

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1115 of 2026

Gorwa Devi @ Jira Devi @ Jirwa Devi, aged about 53 years, W/o
Dashrath Mirdha, R/o Vill-Berokala, Barkatha, P.O. + P.S.-Barkatha,
District-Hazaribagh-825323, Jharkhand.

... Petitioner

Versus

The State of Jharkhand ... Opposite Party

For the Petitioner : Mr. Nitish Parth Sarthi, Advocate
: Mr. Sudhanshu Kr. Singh, Advocate
For the State : Mr. Sunil Kr. Dubey, 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 and set aside the order dated 27.02.2026 passed in Criminal Misc. No.14 of 2026 by learned Additional Sessions Judge-III, Hazaribagh in connection with Barkatha P.S. Case No.185 of 2024 whereby and where under the learned Additional Sessions Judge-III, Hazaribagh rejected the petition filed by the petitioner seeking extension of time to surrender.

3. The brief fact of the case is that the petitioner was granted the privilege of anticipatory bail vide order dated 08.07.2025 in A.B.P. No.1024 of 2025 by the learned Additional Sessions Judge-IV, Hazaribagh with a direction to surrender before the Court below within four weeks

and to furnish bail bonds of Rs.15,000/- with one surety. The petitioner did not surrender before the Court below within the stipulated time and later on, the petitioner filed a petition taking the plea that since she was admitted and getting treatment at SSKM Hospital, Kolkata from 03.08.2025 to 18.01.2026 hence she could not appear before the trial court and made the prayer to extend the period of time, to facilitate her appear before the trial court in terms of the said order of anticipatory bail. But the documents she filed in the Court of learned Additional Sessions Judge-III, Hazaribagh along with the said petition for extension of time, was to the effect that she was getting medical treatment from 27.06.2025 and 03.07.2025 at SSKM Hospital, Kolkata whereas she was granted bail on 08.07.2025. Since the documents filed by the petitioner was contrary to her claim of treatment, hence, the learned Additional Sessions Judge-III, Hazaribagh rejected the prayer for extension of time.

4. Learned counsel for the petitioner submits that the rejection order dated 27.02.2026 is arbitrary and mechanical in nature and has caused serious prejudice to the petitioner, hence, it is submitted that the prayer, as prayed for in the instant Cr.M.P, be allowed.

5. Learned Addl.P.P. appearing for the State on the other hand vehemently opposes the prayer of the petitioner made in the instant Cr.M.P and submits that the impugned order itself is crystal clear that though the claim of the petitioner was that, she was getting treatment at SSKM Hospital, Kolkata from 03.08.2025 to 18.01.2026, but the documents filed by her only showed that she was getting treatment from 27.06.2025

and 03.07.2025; which was contrary to the claim of the petitioner, of being treated in the concerned hospital, hence, the learned Additional Sessions Judge-III, Hazaribagh has rightly rejected the petition of the petitioner for extension of time and has not committed any illegality in rejecting the prayer for extension of time. Therefore, it is submitted that this Cr.M.P., being without any merit, be dismissed.

6. Having heard the rival submissions made at the Bar and after carefully going through the materials available in the record, it is pertinent to mention here that the petitioner, though took the plea that she was undergoing treatment from 03.08.2025 to 18.01.2026 to be the reason of her failure to appear before the Court in terms of the order passed in the said ABP No.1024 of 2025 but she could not substantiate the same by production of documents and the documents produced by her told a different story and contrary to the claim of the petitioner.

7. Under such circumstances, this Court is of the considered view that learned Additional Sessions Judge-III, Hazaribagh has not committed any illegality in rejecting the prayer of the petitioner for extension of time and this is not a fit case where the prayer as prayed for by the petitioner in this Cr.M.P. is to be acceded to in exercise of the power under Section 528 of the BNSS.

8. Accordingly, this Cr.M.P., being without any merit, is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 27th of April, 2026
AFR/ Abhiraj

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