

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 1251 of 2025

Pankaj Mishra, son of Late Laxmi Kant Mishra, resident of Sakrugarh, near
 S.D.O. Kothi, P.O. Sahebganj, P.S. Borio (J), District Sahibganj, Jharkhand

.... Petitioner

Versus

Directorate of Enforcement through its Assistant Director, having its Zonal
 Office, Plot No.1502/B, Airport Road, P.O. Doranda, P.S. Doranda, District
 Ranchi, Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner : Mr. Indrajit Sinha, Advocate

Mr. Rishav Kumar, Advocate

For the Opp. Party : Mr. Amit Kumar Das, Advocate

Order No.03 / Dated : 10.10.2025

Instant criminal miscellaneous petition has been filed under Section 528 of the B.N.S.S., 2023 for modification of the order dated 18.10.2024 passed in B.A. No.8271 of 2024 by which the petitioner has been enlarged on bail subject to the condition that on each day of hearing, he will be appearing before the learned trial court.

It is submitted by learned counsel on behalf of petitioner that the petitioner is suffering from Chronic Life-Threatening Acute Pancreatitis and he has to go for treatment at Padap Ayurvedic Center, Rudrapur, Uddham Singh Nagar, Uttarakhand. The trial is progressing and petitioner is fully co-operating in the trial. Out of 31 witnesses, 26 witnesses have already been examined. Prayer is made to modify the order for appearance on each and every dates of hearing of the case. It is further submitted that he will not be claiming any prejudice on account of evidence being recorded in the absence of his personal appearance.

Learned counsel on behalf of Enforcement Directorate submits that as per CT Scan report dated 09.03.2024 enclosed with the petition, the petitioner is suffering from mild bronchiectatic changes at the lung bases. Further, trial is at an advanced stage and shortly after prosecution evidence, the statement of the accused is to be recorded and giving liberty to the petitioner for only treatment of naturopathy at a distant place, will affect the trial.

Having considered the submissions advanced on behalf of both sides, the order is modified to the extent that the petitioner in case of medical emergency or other valid reason, can file an appropriate petition for appearance through the counsel, before the learned trial court which will be considered by the court on its own merit. In any case, the petitioner will appear in person at the stage of Section 313 of the Cr.P.C and judgment. In the event of his non-appearance in person and the evidence being recorded, he will not claim any prejudice.

Criminal Miscellaneous Petition is disposed of.

(Gautam Kumar Choudhary, J.)

Anit

Uploaded
14.10.2025