

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No. 721 of 2007

Mukesh Turi @ Turim Appellant
Versus
State of Jharkhand Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. A.K. Chaturvedi, Advocate
For the Respondent : Mr. V.S. Sahay, A.P.P.

I.A. No. 6683 of 2023

07/02.08.2023 This Interlocutory Application has been filed on behalf of the appellant to recall the order dated 23.06.2023, passed by this Court by which this court has directed the court below to issue Non-Bailable Warrant against the appellant and also to issue show cause notice against the Bailors of the appellant.

2. Mr. A.K. Chaturvedi, learned counsel for the appellant has submitted that due to reason that the then learned counsel for the appellant was engaged in another Court when this matter was called out, he could not appear before this court and for the mistake on the part of the counsel for the appellant, the appellant may not be penalised.

3. Learned Mr. A.K. Chaturvedi submits that he will remain vigilant in future and also argue the matter on the next date of hearing.

4. No objection has been raised by the learned A.P.P.

5. Perused the report sent by Sri Rajesh Kumar Singh, Additional Sessions Judge-I-cum-FTC-III (Vacant)(I/C), Chatra vide Letter No. 18/2023 dated 24th July, 2023.

Let it be kept on record.

6. Under the circumstances, Order dated 23.06.2023 passed by this Court is modified to the extent that the Court of Sri Rajesh Kumar Singh, Additional Sessions Judge-I-cum-FTC-III (Vacant)(I/C), Chatra or his Successor Court is directed to recall the Non-Bailable Warrant against the appellant and also to recall the show cause notice issued to the Bailors of the appellant, which were ordered to be issued vide Order dated 23.06.2023 passed by this Court.

7. This Interlocutory Application No. 6683 of 2023 is allowed and stands disposed of.

8. Let a copy of this order be communicated to the learned Court below through FAX at once by the Office

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9. Put up this case on 4th September, 2023 under an appropriate heading and on that date learned counsel for the appellant shall remain present and argue the matter.

(Sanjay Prasad, J.)