

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Rev No. 916 of 2018

Sabud Ansari.

.....Petitioner

Versus

1. The State of Jharkhand.

2. Gupteshwar Prasad.

....Opposite Parties

Coram: **HON'BLE MR JUSTICE RONGON MUKHOPADHYAY**

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the State : None

I.A. No. 6158 of 2018

05/23.10.2018

Heard learned counsel for the petitioner. No one appears on behalf of the State.

This interlocutory application has been preferred by the petitioner for condonation of delay of 397 days in filing the revision application.

Having been satisfied with the reasons assigned in the instant application, the same is allowed and the delay of 397 days in filing the revision application is hereby condoned.

I.A. No. 6158 of 2018 is disposed of.

Cr. Rev No. 916 of 2018

It has been submitted by the learned counsel for the petitioner that none of the learned courts below have properly appreciated the materials available on record before convicting the petitioner for the offence under section 138 of the Negotiable Instruments Act. It has further been submitted that maximum sentence, which has been imposed upon the petitioner is simple imprisonment for two years. It has also been submitted that the petitioner has already been arrested and is in custody since 6.10.2018.

Issue notice to the Opposite Party No. 2 as to why this application be not admitted and/or disposed of at the stage of admission itself, for which requisites etc. under registered cover with A/D as well as by ordinary process must be filed by 31st October, 2018.

Call for the Lower Court Records.

List this case under the heading "For Admission" after six months.

During pendency of the application, the petitioner, named above, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Ten Thousand) only, with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Lohardaga, in connection with C-95/09, T.R. No. 203 of 2013.

Let the order be sent through Fax at the cost to be deposited by the petitioner.

(Rongon Mukhopadhyay,J)

Rakesh/