

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2168 of 2023

Sikander Gosai, aged about 40 years, S/o Bharat Gosai, R/o Bara
Ghaghra Gosai Toli, P.S. Doranda, P.O. Doranda, District Ranchi.

... Petitioner

Versus

The State of Jharkhand ... Opposite Party

For the Petitioner : Mr. Lukesh Kumar, Advocate

For the State : Mrs. Shweta Singh, 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 482 of the Code of Criminal Procedure with the prayer to quash the order dated 20.04.2023 passed by the learned Additional Judicial Commissioner-XVI, Ranchi in S.T. Case No. 576 of 2016 arising out of Lower Bazar P.S. Case No. 30 of 2007 corresponding to G.R. Case No. 425 of 2007 whereby and where under the learned Additional Judicial Commissioner-XVI, Ranchi cancelled the bail granted to the petitioner consequent upon his non-appearance in the court concerned on 20.04.2023 and non-bailable warrant of arrest was issued against him.

3. Perusal of the records reveals that though the petitioner was on bail and under the obligation as per the undertaking given in the bail bond by him to appear on all the dates to which the case will be next fixed in future; but he did not appear before the learned trial court for several dates starting from 26.09.2022 to 20.04.2023; the order of which

dates has been annexed in this Criminal Miscellaneous Petition. As the petitioner was not appearing in the trial court for over more than six months even though he was on bail, the learned Additional Judicial Commissioner-XVI, Ranchi cancelled the bail granted to the petitioner and issued non-bailable warrant of arrest.

4. Learned counsel for the petitioner submits that unfortunately the petitioner could not appear before the trial court for several dates. but, the order dated 20.04.2023 is perverse and illegal. Therefore, it is submitted that the same be quashed and set aside.

5. Learned Addl.P.P. appearing for the State on the other hand vehemently opposes the prayer of the petitioner and submits that the only consequence of an accused person who is on bail, if fails to appear on the date fixed in the learned trial court is that his bail is to be cancelled and exactly the same has been done by the trial court. Hence, it is submitted that there is no illegality in the order dated 20.04.2023 passed by the learned Additional Judicial Commissioner-XVI, Ranchi in the said case. Therefore, it is submitted that this Criminal Miscellaneous Petition, 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 records, it is pertinent to mention here that admittedly the petitioner even though was on bail, was not appearing before the trial court for over six months in violation of his undertaking given in the bail bond, while being released on bail, wherein the petitioner undertook to appear before the trial court on each date to which, the case would next be fixed before the court concerned.

7. Under such circumstances, this Court do not find any illegality in the order dated 20.04.2023 passed by the learned Additional Judicial Commissioner-XVI, Ranchi in S.T. Case No. 576 of 2016 arising out of Lower Bazar P.S. Case No. 30 of 2007 corresponding to G.R. Case No. 425 of 2007.

8. Accordingly, this Criminal Miscellaneous Petition, being without any merit, is dismissed.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 26th of November, 2025
AFR/ Saroj

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