

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. M.P. No. 1990 of 2021

Abhay Kumar Mishra **Petitioner**

Versus

The State of Jharkhand & Ors. **Opposite Parties**

With

W.P(Cr.) No.358 of 2019

Sri Ram Krishna Seva Sangh/Vivekanand Vidya Mandir through its
Secretary-cum-Manager Abhay Kumar Mishra **Petitioner**

Versus

The State of Jharkhand & Ors. **Respondents**

With

W.P(Cr.) No.268 of 2021

Abhay Kumar Mishra **Petitioner**

Versus

The State of Jharkhand & Ors. **Respondents**

With

Cr. M.P. No.2179 of 2021

Kashi Nath Mukherjee & Anr. **Petitioners**

Versus

The State of Jharkhand & Ors. **Opposite Parties**

With

Cr. M.P. No.2353 of 2021

Malay Kumar Nandi & Anr. **Petitioners**

Versus

The State of Jharkhand & Ors. **Opposite Parties**

CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioner(s) : Mr. Ajit Kumar, Sr. Advocate
Mr. Manoj Kumar Choubey, Advocate
Mr. Krishna Prajapati, Advocate
Ms. Kritishree, Advocate
(in all matters)

For the State of Jharkhand : Mrs. Priya Shreshtha, Spl. PP

For the OPs/Respondents : Mr. Mahesh Tewari, Advocate
[OP No.4 in Cr.MP No.1990/2021; Resp. Nos.7 to
11 in W.P(Cr.) No.358/2019; in person in W.P(Cr.)
Nos. 268/2021, 2179/2021 & Cr.MP No.2353/2021]

Order No. 14 /Dated: 08th December 2023

Cr. MP No. 1990 of 2021

Mr. Mahesh Tewari appears in-person and states that he has
already filed reply to I.A. No. 4808 of 2021 which he shall adopt in opposition

to other interlocutory applications which are listed today including I.A. No. 8164 of 2022.

W.P. (Cr.) No. 358 of 2019

2. Mr. Mahesh Tewari, the learned counsel who appears for the respondent nos. 7 to 11 submits that he has filed response to I.A. No. 4808 of 2021 filed in Cr.MP No. 1990 of 2021. However this Court feels that in WP(Cr.) No. 358 of 2019 in which I.A. No. 5716 of 2021 has been filed, the respondent nos. 7 to 11 are required to file their separate affidavit(s) in opposition.

3. Mr. Mahesh Tewari, the learned counsel who appears on vakalatnama undertakes to file response to I.A. No. 5716 of 2022 filed in WP(Cr.) No. 358 of 2019.

4. Mr. Mahesh Tewari, the learned counsel states that in the main matter he has already filed counter affidavit on behalf of the respondent nos. 7 to 11.

WP(Cr.) No. 268 of 2021

5. Mr. Mahesh Tewari appears in-person and states that he has filed response to this criminal writ petition for respondent no. 7.

6. Mr. Ajit Kumar, the learned senior counsel appears for the writ petitioners and states that counter affidavit has been filed by the respondent no. 7 to which a rejoinder is necessary.

7. Mrs. Priya Shreshtha, the learned Spl. PP undertakes to file a response on behalf of the State of Jharkhand.

Cr.MP No. 2179 of 2021 with Cr.MP No. 2353 of 2021

8. In these criminal miscellaneous petitions a challenge has been laid to the issuance of non bailable warrant of arrest against the accused.

9. Mr. Mahesh Tewari who is the informant in this case states that he has already filed a response in Cr. MP No. 2353 of 2021 which he shall adopt while opposing Cr. MP No. 2179 of 2021.

10. Mr. Ajit Kumar, the learned senior counsel states that the counter affidavit filed in Cr.MP No. 2353 of 2021 is required to be answered by the petitioners in both the cases.

11. Mr. Mahesh Tewari who appears in-person states that in Cr.MP No. 2179 of 2021 he shall not file any affidavit in opposition but would oppose the petition on the point of law.
12. Post these matters on 12th January 2024.
13. Interim order dated 15th September 2021 shall continue till the next date of hearing.

(Shree Chandrashekhar, J.)

Tanuj