

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3316 of 2024

Hemant Soren, aged about 48 years, Son of Shibu Soren, Resident at
Chief Minister House, P.O.- Gonda, P.S.- Gonda, District- Ranchi
... Petitioner

Versus

Directorate of Enforcement, Govt. of India represented through his
Assistant Director, Deovrat Jha, Ranchi Zonal Office, at Plot
No.1502/B, Airport Road, P.O. & P.S.- Hinoo, District- Ranchi
Jharkhand (ed-reanchi@gov.in) ... Opposite Party

For the Petitioner : Mr. Arunabh Choudhary, Sr. Advocate
(through V.C.)
Mr. Deepankar, Advocate
For the E.D. : Mr. Amit Kumar Das, Advocate
Mr. Zoheb Hossain, Advocate
Mr. Varun Girdhar, Advocate
Mr. Manmohit Bhalla, Advocate

P R E S E N T

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

By the Court:- **I.A. No.15937 of 2025**

Heard the parties.

Learned counsel for the petitioner submits that the petitioner
does not press the instant interlocutory application.

Accordingly, this interlocutory application is rejected as not
pressed.

(Anil Kumar Choudhary, J.)

Cr.M.P. No.3316 of 2024

This Criminal Miscellaneous Petition has been filed invoking the
jurisdiction of this Court under Section 528 of the Bharatiya Nagarik

Suraksha Sanhita, 2023 with the prayer to quash and set aside the order dated 23.11.2024 passed by the learned Special J.M.F.C. MP/MLA Court, Ranchi in MCA No.4921 of 2024 in connection with MP/MLA Case No.02 of 2024 arising out of Complaint Case No.3952 of 2024 whereby and where under the application filed by the petitioner under Section 205 of the Code of Criminal Procedure seeking exemption from the personal appearance, has been rejected.

2. Learned senior counsel for the petitioner submits that since the offence punishable under Section 174 of the Indian Penal Code is a minor offence, having provision of maximum punishment of one month only and is a summons case and is also a bailable offence, hence, the personal appearance of the petitioner, who is the Hon'ble Chief Minister of the State of Jharkhand ought to have been dispensed with by the learned Special J.M.F.C. MP/MLA Court, Ranchi and having not done so, the learned Special J.M.F.C. MP/MLA Court, Ranchi has committed a grave illegality. Hence, it is submitted that the prayer, as prayed for in the instant Cr.M.P., be allowed.

3. Learned counsel for the opposite party submits that the opposite party has no objection to the exemption of the petitioner from his personal appearance except on the first date of appearance to furnish his bail bond and if the learned trial court feels at any stage of the trial that there is any necessity for the personal appearance of the petitioner for any specific unavoidable purpose; then on that date the learned trial court may specifically order for personal appearance of the petitioner.

4. At this stage, the learned senior counsel for the petitioner on instructions submits that the petitioner is ready and willing to appear before the Special J.M.F.C. MP/MLA Court, Ranchi at 2:00 PM on 06th of December, 2025.

5. Having heard the rival submissions made at the Bar and considering the fact that the petitioner is the Hon'ble Chief Minister of the State of Jharkhand and is obviously having a number of pressing engagements in connection with the office he is holding as well as the fact that the offence involved in this case is a minor offence punishable under Section 174 of the Indian Penal Code, the order dated 23.11.2024 passed by the learned Special J.M.F.C. MP/MLA Court, Ranchi in MCA No.4921 of 2024 in connection with MP/MLA Case No.02 of 2024 arising out of Complaint Case No.3952 of 2024 is modified and the petitioner is directed to appear before the Special J.M.F.C. MP/MLA Court, Ranchi on 06th of December, 2025 at 2:00 PM and his personal appearance on all the future dates to which the MP/MLA Case No.02 of 2024 arising out of Complaint Case No.3952 of 2024 will be fixed, is dispensed with subject to the petitioner being represented by a lawyer duly instructed to effectively take part in the proceedings of the case on behalf of the petitioner and if the learned trial court feels that there is any necessity for the personal appearance of the petitioner for any specific unavoidable purpose, then the learned trial court may pass specific order for personal appearance of the petitioner either physically or through video conferencing.

6. This Cr.M.P. stands disposed of accordingly.

(Anil Kumar Choudhary, J.)

High Court of Jharkhand, Ranchi
Dated the 03rd of December, 2025
AFR/ Animesh
Uploaded on- 04/12/2025