

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).8629/2022

[Arising out of impugned final judgment and order dated 13-05-2022 in BA No.7445/2020 passed by the High Court of Jharkhand at Ranchi]

THE STATE OF JHARKHAND

Petitioner

VERSUS

ALEX DAVID @ M.U. HENRY &amp; ANR.

Respondent

I.A. No.123014/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

I.A. No.123015/2022-EXEMPTION FROM FILING O.T.

Date : 26-08-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) : Ms. Pragya Baghel, Adv.  
Mr. Jayant Mohan, AOR  
Ms. Adya Shree Dutta, Adv.

For Respondent(s) : Mr. Raj Kumar Bhaskar Thakare, A.S.G.  
Mr. Raj Bahadur Yadav, AOR  
Mr. Padmesh Mishra, Adv.  
Mrs. Aastha Singh, Adv.  
Mr. Mayank Pandey, Adv.  
Mr. Aaditya Dixit, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. This Court had passed *inter alia* the following order on 04<sup>th</sup> December, 2024:-

“Under these circumstances, we allow the prayer of the petitioner-State of Jharkhand and set aside the order of the High Court dated 13.05.2022 by which the bail was granted to respondent no.1-Alex David @ M.U. Henry, and direct the Union of India to take

appropriate measures as they have suggested in their guidelines. The petitioner-State of Jharkhand shall fully cooperate in this matter so that the respondent no.1 can be brought to India to face the trial pending against him.

All the same, a request has been made from both the sides of the parties that something more needs to be done in this case as these cases keep coming up and therefore, a proper set of guidelines have to be framed and distributed to all the Court concerned so that such incidents do not happen in future.

As far as the present case is concerned, we have already decided the precise issue before us in as much as we have allowed the petition and set aside the bail order of the respondent. In this regard further procedure has to be duly followed by the Union of India and the State of Jharkhand. For the larger issue we presently adjourn the matter to 18.02.2025 for further orders.”

2. A bare perusal of the aforesaid extract would reveal the desire of the Court to keep the larger issue pending awaiting further submissions to be made on behalf of the Union of India.

3. Mr. Raj Kumar Bhaskar Thakre, learned Additional Solicitor General appearing for the Central Government has placed before us a communication addressed to the Solicitor General of India by the Consultant (Legal), CPV Division, Ministry of External Affairs, Patiala House, New Delhi.

4. The contents of such communication read as follows:-

“1. In furtherance of email dated 06.08.2025, it is informed that the Extradition Request, prepared by the Superintendent of Police, District Giridh, Jharkhand, was received by the Ministry of External Affairs, and after duly vetting the same, it has been sent to the High Commission of India, Abuja, Nigeria, on the basis of "Assurance of Reciprocity", for onward transmission to the concerned Nigerian authorities.”

2. However, it may be noted that in the absence of a bi-lateral Extradition treaty between India and Nigeria, the Nigerian authorities are unlikely to extradite their own national.

3. The aforementioned may be apprised to the Hon'ble Court on the next date of hearing.

5. In view of such communication addressed to the Solicitor General and particularly having regard to the fact that there is no bilateral treaty between Nigeria and India in regard to extradition of a Nigerian national for facing criminal proceedings in India, no useful purpose would be served in keeping this petition pending any further.

6. The special leave petition stands disposed of, confirming the order of cancellation of bail but leaving it open to the Central Government to formulate an appropriate policy or initiate such further action as deemed necessary and proper so that foreign nationals do not flee the course of justice after committing crimes in India.

**(RASHMI DHYANI PANT)**  
**ASTT. REGISTRAR-cum-PS**

**(RANJANA SHAILEY)**  
**ASSISTANT REGISTRAR**