

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.300 of 2016

Arising Out of PS.Case No. -105 Year- 2005 Thana -GARKHA District- SARAN

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Nathu Lal Sharma, son of late Tunki Sharma, resident of village-
Bhabhanayya, P.S.-Garka, District-Saran.

.... Appellant/s

Versus

1. The State of Bihar,
2. Ram Bachan Sharma, son of late Jokhan Sharma,
3. Bihari Sharma, son of late Jokhan Sharma, both resident of village-
Bhabhanayya, P.S.-Garka, District-Saran, &
4. Rajendra Sharma, son of late Ram Nath Sharma, resident of village-
Bansdih, P.S.-Bheldi, District- Saran

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Deovind Kumar Singh, Advocate
For the Respondent/s : Mr. Zeyaul Hoda, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
&
HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

(Per: HONOURABLE JUSTICE SMT. ANJANA PRAKASH)

2/ 25-04-2016

Re.: I.A. No.806 of 2016:

This Interlocutory Application has been filed under
Section 5 of the Limitation Act for condoning the delay of 35 days
in filing the appeal.

Having gone through the judgment dated 07.11.2015
passed by the Additional Sessions Judge, 5th, Saran, in Sessions
Trial No.93 of 2007 arising out of Garkha P.S. Case No.105 of
2005, by which the Opposite Party Nos.2 to 4 have been convicted
under Section 324/34 Indian Penal Code, whereas, charge was
framed under Section 307/34 Indian Penal Code, we see no reason

to condone the delay in filing the appeal.

Accordingly, Interlocutory Application No.806 of 2016 is rejected.

Consequent to the dismissal of Limitation Petition, the appeal stands dismissed.

(Anjana Prakash, J)

JA/-

(Rajendra Kumar Mishra, J)

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