

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (DB) No.189 of 2017**

Arising Out of PS.Case No. -598 Year- 2008 Thana -BAGHA District-  
WESTCHAMPARAN(BETTIAH)

=====

Rakesh Sah @ Turha son of Bhatuman Sah, resident of village Sigari P.S.  
Bagaha Dist. West Champaran.

.... .... Appellant/s

Versus

1. The State of Bihar.
2. Mohan Sah son of Dharmadeo Sah
3. Surendra Sah son of Dharmadeo Sah
4. Brajesh Sah son of Dharmadeo Sah.
5. Yogendra Sah son of Moha Sah
6. Zira Devi wife of Dharmadeo Sah all are resident of village Sigari  
Dist. West Champaran.

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Anand Kishore Choudhary, Advocate

For the Respondent/s : Mr. Sri Mayanand Jha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR  
MANDAL**

**and**

**HONOURABLE MR. JUSTICE MADHURESH PRASAD**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL)**

6      22-06-2017

Re. Interlocutory Application No. 920 of 2017.

The petitioner has filed the present application for condoning the delay of 237 days in filing the appeal against the order of acquittal recorded by the learned Trial Court in the case lodged by the petitioner.

On going through the statements made therein, we do not find the petitioner has been able to make out a case for condonation of the delay particularly when the earlier appeal/application filed by him was sought to be withdrawn on



27.06.2016. The enormous delay has not appropriately/satisfactorily explained. Resultantly we do not wish to allow the application filed for condoning the delay.

Interlocutory Application No. 920 of 2017 stands rejected.

As we have rejected the prayer for condoning the delay, the appeal being Cr. App (DB) No. 189 of 2017 stands rejected as barred by limitation.

**(Kishore Kumar Mandal, J)**

**(Madhuresh Prasad, J)**

Prakash/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

