

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.904 of 2019

Arising Out of PS. Case No.-759 Year-2007 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

BAIJNATH MUSHHAR Son of Late Ramuna Mushhar Resident of Village-
Tribhawani, P.S.- Bhairoganj, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bashishtha Pandey Son of Late Yugal Pandey
3. Bhola Pandey Son of Bashishtha Narain Pandey
Respondent nos.2 and 3 residents of Village- Tribhawani, P.S.- Bhairoganj,
District- West Champaran.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma, Adv.
For the Respondent/s : Mr.Usha Kumari 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 08-07-2019 Heard learned counsel for the appellant as well as
learned APP.

This memo of appeal has been listed by the office
over limitation. Needless to say this memo of appeal happens to
be in accordance with Section 14(A)(1) of the SC/ST (POA) Act
against the judgment of acquittal dated 24.04.2017.

As per Section 14(A)(3) of the SC/ST (POA) Act the
High Court has been empowered to condone the delay during
course of entertaining memo of appeal in between 90 days to
180 days after passing of the judgment impugned that too on
being satisfied with the cause whereunder appellant has been



prevented to file an appeal within 90 days. Furthermore, the said proviso also provides that no extension beyond the period of 180 days would be whereupon, there would not be applicability of Section 5 of the Limitation Act.

Consequent thereupon, the instant memo of appeal is found duly eclipsed on account of having been filed beyond the period of limitation. Accordingly, would not be entertained and so, I.A. No.01/2019 is rejected. Consequent thereupon, the memo of appeal is rejected.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

U		T	
---	--	---	--

