

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1137 of 2020

In
CRIMINAL MISCELLANEOUS No.85254 of 2019

Arising Out of PS. Case No.-1 Year-2017 Thana- SC/ST District- Patna

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1. RAJNATH SINGH S/O- Late Charitar Mahto Resident of Mohalla - Brindawan Colony, Road No. 1 A, Ram Nagar, Bochachak, Phulwari Sharif, P.S. - Phulwari Sharif, Town and District - Patna.
 2. Santosh Kumar S/O- Raj Nath Singh Resident of Mohalla - Brindawan Colony, Road No. 1 A, Ram Nagar, Bochachak, Phulwari Sharif, P.S. - Phulwari Sharif, Town and District - Patna.
 3. Sohan Kumar S/O- Raj Nath Singh Resident of Mohalla - Brindawan Colony, Road No. 1 A, Ram Nagar, Bochachak, Phulwari Sharif, P.S. - Phulwari Sharif, Town and District - Patna.
 4. Raj Kumar S/O- Raj Nath Singh Resident of Mohalla - Brindawan Colony, Road No. 1 A, Ram Nagar, Bochachak, Phulwari Sharif, P.S. - Phulwari Sharif, Town and District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Chaudhary S/O Suraj Mal Chaudhary Resident of Mohalla - Brindawan Colony, Road No. 1 A, Ram Nagar, Bochachak, Phulwari Sharif, P.S. - Phulwari Sharif, Town and District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Arun, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 04-09-2023

1. Heard learned counsel for the parties.

2. At the outset, it is submitted by learned counsel appearing for the appellants that the instant appeal has been filed against the cognizance order dated 19.12.2018 passed by learned Special Judge S.C./S.T. Act- cum- Additional Sessions Judge-V, Patna in Special Case No. 50 of 2017 arising out of



Patna S.C./S.T. P.S. Case No. 01 of 2017 dated 10.01.2017 but thereafter, the Trial Court proceeded and framed the charges upon the appellants, hence, the appeal has now become infructuous but after the framing of charges, respondent no. 2 is not taking interest in his case in producing the witnesses despite charges having been framed on 20.06.2022 and till date no prosecution witness has turned up which shows malafide intention on the part of the respondent no. 2.

3. Considering the above submissions, this appeal stands dismissed as being infructuous.

4. Learned trial Court is directed to expedite the trial of the appellants and take steps to conclude the same in the next one year.

(Shailendra Singh, J.)

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