

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1548 of 2024

Arising Out of PS. Case No.-415 Year-2022 Thana- PURNEA SADAR District- Purnia

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1. Gayatri Devi @ Gayatri Kumari @ Gayatri Devi wife of RAJU MANDAL @ RAJU KUMAR MANDAL RESIDENT OF VILLAGE- BALUA KALIYA GANJ, PS- PALASI, DIST- ARARIA
 2. UDAY KUMAR @ UDAY NAND MANDAL SON OF LATE PUNIT MANDAL RESIDENT OF VILLAGE- CHAINPUR, PS- TERHAGACHA, DIST- KISHANGANJ
 3. SUBHODH KUMAR SON OF UPENDRA BISWASH RESIDENT OF VILLAGE- RAM RATANJI NAGAR RAMBAGH PS- SADAR, DIST- PURNEA
 4. DHIRAJ THAKUR @ DHEERAJ KUMAR THAKUR SON OF MANGAN THAKUR RESIDENT OF VILLAGE- KUMHARI PS- KADAWA, DIST- KATIHAR
 5. RAJU MANDAL @ RAJU KUMAR MANDAL SON OF SATYANARAYAN MANDAL RESIDENT OF VILLAGE- BALUA KALIYA GANJ PS- PALASI, DIST- ARARIA

... .. Appellant/s

Versus

1. The State of Bihar
2. MANGALA KUMARI @ MANGALA DEVI WIFE OF LATE RAMRATAN PAWAN RESIDENT OF VILLAGE- RAM RATANJI NAGAR RAMBAGH, PS- SADAR, DIST- PURNEA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-02-2025 Heard the parties.

2. The present appeal has been preferred:

*“for quashing of the order dated
06.05.23 passed by the learned Special
Judge SC/ST (Prevention of Atrocities) Act,
Purnea in Special SC/ST case no. 66 of 2023
arising out of Sadar P.S. case no. 415 of*



2022 giving rise to Spl.SC/ST case no.66 of 2023 whereby and where under the learned court below cognizance taken under section 409, 420, 467, 468, 470, 448, 504, 506 and 120(B) of the IPC and section 3(1)(r)(s)/3(2) (va) of Sc/ST(POA) Act 1989 without considering the material available on record and during pendency of this petition the order dated 06.05.23 shall remain stayed.”

3. In this case, cognizance order was taken against the appellants on 06.05.2023.

4. As per the office report, the limitation came to an end on 26.07.2023, the petition was filed on 14.03.2024 and thus, there is a delay of 232 days.

5. The stamp report is dated 18.03.2024. No step was taken.

6. Vide order no. 2 dated 20.04.2024, the Joint Registrar (Judicial) gave final time till 18.05.2024 to remove the stamp report defect(s) which included the filing of the limitation petition.

7. The appellant who at the first instance should have filed the limitation petition as the appeal was filed after the



period of filing the appeal was lapsed, chose to look the other way and even after the order passed by the Joint Registrar (Judicial) did not do anything for next eight months.

8. It seems that without interest, as a second thought, the appeal was filed, as in any case, without limitation, the same has got no meaning.

9. Accordingly ordered.

10. The present appeal stands dismissed.

(Rajiv Roy, J)

Adnan/-

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