

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.512 of 2025

Arising Out of PS. Case No.-426 Year-2018 Thana- MAJORGANJ District- Sitamarhi

Narendra Singh @ Bihari @ Chhotu @ Amitabh Kumar Singh S/o Shiv
Narayan Singh @ Shivji Singh Resident of vill- Khairwa Khurd, ward no 16,
P.S - Majorganj, Distt.- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar Verma, Adv. Mr. Suman Kumar Verma, Adv. Mr. Anish Kumar, Adv. Ms. Anjali Singh, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 31-07-2025 Heard learned counsel for the appellant.

2. The matter has been listed under the heading ‘To
Be Mentioned’ in view of the orders on office notes.

3. The stamp report defect No. 6(5) read as under : -

*“This petition may be filed as Cr.App
(S.J.) as Maximum sentence has been awarded is 10
years., Still stand vide S.R. dt.- 12.05.2025, kept at
flag “A”.*

*Supplementary affidavit is kept
on record and duly flagged.”*

4. It appears from the perusal of the records that the
stamp reporter pointed out the said defect as back as on



16.04.2025. The order dated 07.05.2025 of the learned Joint Registrar (Judicial) takes notice of the stamp report defect No. 6(5), however, by observing that it relates to maintainability matter, the defect No. 6(5) has been ordered to be placed before the Hon'ble Bench for necessary order.

5. In the meantime, over three and half months from the date of filing of the appeal has gone and the matter could not ripe for admission.

6. In the opinion of this Court, such matter need not be placed before the Bench. There is no dispute that as per Rule 1 of Chapter II of the Patna High Court Rules, in the case of a maximum sentence upto 10 years, the appeal is to be placed before the Hon'ble Single Judge Bench. Once the High Court Rules says so and the same has been pointed out by the stamp reporter, the defect could have been cured by the learned counsel for the appellant at the stage of stamp reporting itself. Unnecessary exercise of placing the matter before the Joint Registrar (Judicial) and then before this Bench has only wasted the time and that has caused hardship to the appellant, who is in jail awaiting hearing of his appeal at the earliest.

7. While permitting the appellant to convert this appeal into Criminal Appeal (SJ) and thereby to remove the



stamp reporting defect, we direct the registry to place this order before Hon’ble the Chief Justice for taking appropriate view of the matter and consider issuing instructions as may be required.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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