

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3813 of 2024

Arising Out of PS. Case No.-499 Year-2020 Thana- MAHUA District- Vaishali

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SURESH RAY @ SURESH RAI SON OF CHANDRADEEP RAY R/O-
GORIGAMA P.S.- MAHUA, DIST.- VAISHALI, BIHAR

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. RAKESH RASIYA @ RAKESH KUMAR SON OF LATE JAILAL RAI
R/O- GORIGAMA P.S.- MAHUA, DIST.- VAISHALI, BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : None

For the Respondent/s : Mr.Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-04-2025 No one appears for the appellant though Mr.
Ramchandra Singh, learned APP is present.

2. The petition has been filed:

*“under first proviso of Section 372 of the
Code of Criminal Procedure by the informant Suresh
Ray @ Suresh Rai being aggrieved by the order
dated 25.04.2023 passed by the Additional District
& Sessions Judge-1, Vaishali in Sessions Trial No.
494 of 2021 arising out of Mahua PS Case No. 499
of 2020 by which the learned court was pleased to
acquit the respondent no.2 from the charges under
section 366A/34 of the IPC.”*



3. The present appeal has been filed after delay of 382 days without any limitation petition. In that circumstance on 31.08.2024, the Joint Registrar (Judicial) gave time till 18.09.2024 to file limitation petition.

4. Still the limitation petition was not filed. Any appeal without limitation petition for condoning the delay has to be dismissed out-rightly.

5. However, since no one has appeared for the appellant, the appeal stands dismissed for non prosecution.

(Rajiv Roy, J)

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