

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3714 of 2019

Arising Out of PS. Case No.-436 Year-2010 Thana- AGRER District- Rohtas

BANS HIDHAR PRASAD Son of Feku Prasad R/o Village- Turki, P.O.-
Muradabad, P.S.- Agrer, District- Rohtas (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar
2. Sudarshan Prasad Son of Feku Prasad Resident of Village- Baradih, P.O.-
Muradabad, P.S.- Agrer, District- Rohtas (Bihar).
3. Sona Devi Wife of Sudarshan Prasad Resident of Village- Baradih, P.O.-
Muradabad, P.S.- Agrer, District- Rohtas (Bihar).

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ful Man Singh, Advocate
For the Respondent/s : Mr. Syed Ashfaq Ahmad, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 11-11-2025

I.A. No. 01 of 2019

Heard the parties.

2. This appeal has been filed challenging the acquittal
of the respondent-accused.

3. No sufficient ground has been shown by the
appellant for condonation of delay.

4. In these circumstances, the application for
condonation of delay is dismissed

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5. The appellant has submitted that he was not
informed by the Public Prosecutor about the acquittal of the



accused persons and, therefore, could not file the appeal within the prescribed period.

6. However, it is not the duty of the Public Prosecutor to inform the informant about the outcome of the case. It was for the informant to remain vigilant and to make necessary enquiries regarding the progress and result of the case. If the informant was genuinely interested in the result of the trial, he ought to have appeared before the court and assisted the A.P.P. during the proceedings.

7. Merely because the accused persons have been acquitted, the present appeal cannot be entertained after a delay of four months.

8. Accordingly, this appeal is dismissed on the ground of delay and laches.

(Sandeep Kumar, J)

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