

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4614 of 2024

Arising Out of PS. Case No.-59 Year-2020 Thana- PARAIYA District- Gaya

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Kaushal Kishor Kumar @ Kaushal Singh S/o Shri Ram Janam Sharma R/o
village - Mahadeopur , P. S - Paraiya , District – Gaya Appellant/s
Versus

1. The State of Bihar
 2. Ram Pravesh Das S/o Arjun Das R/o vill - Mahadeopur, P.S. - Paraiya, Distt.
 - Gaya
- Respondent/s

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Appearance :

For the Appellant/s : Mr.Ramadhar Shekhar, Adv.
For the Respondent/s : Mr.Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-04-2025 Heard the parties.

2. The petition has been filed for:-

*“Quashing of the cognizance order
dated 08.06.2021/01.11.2021 passed by the
learned Special Judge, SC/ST Act, Gaya in
Paraiya PS Case No. 59/20, Tr. No. 382/21 (State
v. Munna Singh), by which the learned court
below has held that a prima facie case u/s 341,
342, 323, 504/34 of the IPC and section 3(1)(r)(s),
3(2)(va) of the SC/ST Act is made out and
accordingly the cognizance for the aforesaid
offence has been taken and summon has been
issued against the accused persons including the
present appellant.”*

3. Though learned counsel for the appellant wanted
another time, Mr. Sadanand Paswan, learned Special P.P.
pointed out that the order under challenge is dated
08.06.2021/01.11.2021. The appeal came to be filed after delay
of 02 years and 03 months without limitation petition.



4. On 21.10.2024, the Joint Registrar(Judicial) gave time till 11.11.2024 to remove the defect(s). However, the appellant again chose to look the other way. As such, the appeal bereft of limitation petition be dismissed.

5. Learned counsel for the appellant submits that certain defects are there which he could not remove and as such, further time be granted.

6. Having heard the parties, this Court is in complete agreement with the contention put forward by the learned Special P.P. A delayed appeal has been filed after lapse of 02 years and 03 months. This must have been accompanied with a limitation petition which was not filed.

7. The Joint Registrar(Judicial) on 21.10.2024 gave time till 11.11.2024 to remove all the defects as also to file limitation petition but no step was taken which is reflected from the office notes.

8. In that background, the appeal without limitation petition is fit to be dismissed and as such is ordered.

9. Dismissed.

(Rajiv Roy, J)

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