IN THE HIGH COURT OF JHARKHAND AT RANCHI
Acq. Appeal (DB) No. 46 of 2020

State of Jharkhand through Deputy Commissioner, Giridih. --- Appellant

Versus

1. Anar Devi @ Anarwa Devi
2. Ajay Mahto @ Ajay Yadav
3. Lutan Mahto @ Lutan Yadav. --- --- Respondents

CORAM: **Hon'ble Mr. Justice Rongon Mukhopadhyay**
Hon'ble Mr. Justice Arun Kumar Rai

For the Appellant : Mr. Bhola Nath Ojha, Spl.P.P
For the Respondents : Mr. Ram Lakhan Yadav, Adv.

06/02.09.2026 **I.A. No.4010 of 2020**

Heard Mr. Bhola Nath Ojha, learned Spl.P.P and Mr. Ram Lakhan Yadav, learned counsel appearing for the respondents.

This application has been preferred by the appellant for condoning a delay of 708 days in filing the appeal.

It has been submitted by learned counsel for the appellant that due to some procedural delay the appeal could not be filed within time and therefore the delay of 708 days has resulted in filing the appeal.

Mr. Ram Lakhan Yadav, learned counsel appearing for the respondents has submitted that the reasons which have been assigned in the instant application explaining the delay are not tenable.

It appears that the judgment of acquittal was passed on 27.04.2018 after which the learned A.P.P. had sent a letter to the Deputy Commissioner, Giridih, pursuant to which the matter was sent to the Law Department and thereafter to the office of the learned Advocate General on 01.08.2018 for filing an appeal against the judgment of acquittal. The said file was received in the office of the learned Advocate General on 06.08.2018 and was handed over to an A.P.P and thereafter the appeal was preferred on 03.07.2020.

There is absolutely no explanation with respect to the delay in filing the appeal for the period 06.08.2018 on which date the file was handed

over to the concerned A.P.P and the filing of the appeal on 03.07.2020. Some vague explanation has been made that on account of some communication gap and due to misunderstanding, the appeal could not be filed within time. Such explanation cannot get over the delay of almost 2 years in filing the appeal after the file was handed over to the concerned A.P.P.

We, therefore, do not find any reasons to condone the delay of 708 days in filing the appeal and this interlocutory application accordingly stands dismissed.

Consequent to the above, Acq. Appeal (DB) No.46 of 2020 also stands dismissed.

Pending interlocutory application(s), if any, stands closed.

(*Rongon Mukhopadhyay, J.)*

(Arun Kumar Rai, J.)

Dated: 2nd September, 2026
Shamim/
Uploaded on:03 /09/2026