

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (DB) No.542 of 2024**

Arising Out of PS. Case No.-96 Year-2021 Thana- BADHAILA District- Rohtas

Sheo Narayan Mahto @ Sheo Narayan Singh @ Shiv Narayan Singh, male,  
aged about 55 years, Son of Late Suryabali Mahto, Resident of Village -  
Shiyawak, P.S. - Baghaila, District - Rohtas

... .. Appellant

Versus

The State of Bihar

... .. Respondent

**Appearance :**

For the Appellant : Mr. Siddharth Harsh, Advocate  
For the Respondent : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI  
and  
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA  
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)

5 08-05-2025

**Re.: I.A. No.01 of 2025**

The appellant/applicant has filed the present interlocutory application with a request that the Registry be directed to send back the Trial Court Records of Sessions Trial Nos.45 of 2024 & 381 of 2024, arising out of Baghaila P.S. Case No.96 of 2021 to the Court of learned ADJ-19<sup>th</sup> Rohtas, Sasaram.

2. Heard Mr. Siddharth Harsh, learned counsel for the appellant and Mr. Parmeshwar Mehta, learned APP for the Respondent-State.

3. Learned counsel for the appellant/applicant has pointed out that one of the accused has been convicted by the



Trial Court whose trial was separated and, therefore, the said accused has filed the criminal appeal before this Court. This Court called for the Trial Court from the concerned Trial Court and the record is with the Registry of this Court. However, trial of other co-accused, whose trial has been separated, is still pending before the Court and, therefore, the original record is required to be transmitted to the Trial Court.

4. In view of the aforesaid request made by the appellant/applicant, office is directed to keep photo copies of the entire record of Sessions Trial Nos.45 of 2024 and 381 of 2024, arising out of Baghaila P.S. Case No.96 of 2021 and thereafter transmit the original record to the learned ADJ-19<sup>th</sup>, Rohtas, Sasaram so that the trial of the other co-accused, which has been separated, can be proceeded further. Learned counsel for the appellant/applicant has shown willingness to pay the cost of the same.

5. In view of the aforesaid, Registry is directed to transmit the record of Sessions Trial Nos.45 of 2024 and 381 of 2024, arising out of Baghaila P.S. Case No.96 of 2021 to learned ADJ-19<sup>th</sup>, Rohtas, Sasaram forthwith by special messenger at the cost of the applicant (informant) of this interlocutory application.



6. Registry is also directed to keep photo copies of the entire record of Sessions Trial Nos.45 of 2024 and 381 of 2024, arising out of Baghaila P.S. Case No.96 of 2021 and thereafter transmit the original record to the learned ADJ-19<sup>th</sup>, Rohtas, Sasaram so that the proceedings in the present appeal may proceed further.

7. Accordingly, this interlocutory application, i.e., I.A. No.01 of 2025 stands disposed of.

**(Vipul M. Pancholi, J.)**

**(Sunil Dutta Mishra, J.)**

Gaurav Kumar/-

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