

IN THE HIGH COURT OF JUDICATURE AT PATNA
GOVT. APPEAL (DB) No.6 of 2024

Arising Out of PS. Case No.-200 Year-2003 Thana- DANAPUR District- Patna

The State of Bihar through the District Magistrate, Patna Bihar
... .. Appellant

Versus

1. Sunil Yadav @ Kana Son of Late Yugal Rai Resident of Badi Badalpura, P.S. - Khagaul, District - Patna
2. Ranjan Kumar @ Benga Son of Ram Sakal Rai Resident of Badi Badalpura, P.S. - Khagaul, District - Patna
3. Sharvan Kumar Son of Suresh Rai Resident of Village - Kothwan, P.S. - Khagaul, District - Patna, Bihar

... .. Respondents

with

GOVT. APPEAL (DB) No. 7 of 2024

Arising Out of PS. Case No.-200 Year-2003 Thana- DANAPUR District- Patna

The State of Bihar through the Dist. Magistrate, Patna Bihar
... .. Appellant

Versus

Rit Lal Yadav S/O Late Ramashish Rai Resident of Kothwan, P.S.- Khagaul, District- Patna, Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (DB) No. 952 of 2024

Arising Out of PS. Case No.-200 Year-2003 Thana- DANAPUR District- Patna

Most Asha Devi Wife of Late Satyanarayan Sinha Resident of Village- Sarari, PS- Shahpur, District- Patna, Bihar

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rit Lal Yadav Son of Late Ramashish Rai Resident of Kothwan, P.S.- Khagaul, District- Patna, Bihar.

... .. Respondent/s

with

CRIMINAL APPEAL (DB) No. 955 of 2024

Arising Out of PS. Case No.-200 Year-2003 Thana- DANAPUR District- Patna

Most Asha Devi W/O Late Satyanarayan Sinha Resident of Village- Sarari, P.S- Shahpur, District- Patna, Bihar



... .. Appellant/s

Versus

1. State of Bihar Bihar
2. Sunil Yadav @ Kana S/O Late Yugal Rai Resident of Village- Badi Badalpura, P.S.- Khagaul, District- Patna, Bihar.
3. Ranjan Kumar @ Benga S/O Ram Sakal Rai R/O Village- Badi Badalpura, P.S- Khagaul, Distt.- Patna, Bihar.
4. Shravan Kumar S/O Suresh Rai R/O Kothwa, P.S- Khagaul, Distt.- Patna, Bihar.

... .. Respondent/s

Appearance :

(In GOVT. APPEAL (DB) No. 6 of 2024)

For the Appellant/s : Mr.Ajay Mishra, Advocate

For the Respondent/s : Mr.

(In GOVT. APPEAL (DB) No. 7 of 2024)

For the Appellant/s : Mr.Ajay Mishra, Advocate

For the Respondent/s : Mr.

(In CRIMINAL APPEAL (DB) No. 952 of 2024)

For the Appellant/s : Mr.Apurv Harsh, Advocate

Mr. Manu Tripurari, Advocate

Mr. Jaya Singh, Advocate

Mr. Pranshu Prakash, Advocate

For the Respondent/s : Mr.Parmeshwar Mehta, APP

(In CRIMINAL APPEAL (DB) No. 955 of 2024)

For the Appellant/s : Mr.Apurv Harsh, Advocate

Mr. Manu Tripurari, Advocate

Mr. Jaya Singh, Advocate

Mr. Pranshu Prakash, Advocate

For the Respondent/s : Mr.Manish Kumar No2, APP

For the Respondent No. 2: Mr. Gajanan Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 17-02-2025

I.A. No. 1 of 2024 in G.Appeal (DB) No. 6 of 2024

Issue notice to respondent nos. 2 and 3 in limitation as well as admission matter through both by ordinary process as well as under registered cover with A/D for which requisites etc. must be filed within two weeks from today, failing which this appeal shall



stand dismissed without further reference to the Bench.

2. The trial court's record has already been called for in Cr. Appeal (DB) No. 952 of 2024 and the same has been received.

3. Mr. Gajanan Mishra, learned counsel has entered appearance on behalf of respondent no. 1 of this case in the connected appeal being Cr. Appeal (DB) No. 955 of 2024. He has filed *Vakalatnama* in the said case only today. Learned counsel undertakes to file *Vakalatnama* on behalf of respondent no. 1 in the present case within two weeks from today.

I.A. No. 1 of 2024 in G. Appeal (DB) No. 7 of 2024

4. In Cr. Appeal (DB) No. 952 of 2024, this Court has issued notice to respondent no. 2 vide order dated 17.12.2024 and as per the office report, notice has been validly served upon him vide process server report which is at Flag 'C' in Cr. Appeal (DB) No. 952 of 2024. The respondent no. 2 has, however, not entered appearance in the said appeal.

5. By way of abundant caution, this Court issues notice to the sole respondent in limitation as well as in G.Appel (DB) No. 7 of 2024 through both by ordinary process as well as under registered cover with A/D for which requisites etc. must be filed within two weeks from today, failing which this appeal shall stand dismissed without further reference to the Bench.

Cr. Appeal (DB) No. 952 of 2024

6. Perused the office notes. It appears that notices have



been validly served upon respondent no. 2 in this case, however, respondent no. 2 has not entered appearance.

Cr. Appeal (DB) No. 955 of 2024

7. It appears on perusal of the office notes provided in Cr. Appeal (DB) No. 952 of 2024 that notices to respondent nos. 2, 3 and 4 in Cr. Appeal (DB) No. 955 of 2024 were issued, it has been validly served upon respondent nos. 3 and 4 vide process server report which is kept at Flag 'D' in Cr. Appeal (DB) No. 955 of 2024.

8. As regards respondent no. 2 in Cr. Appeal (DB) No. 955 of 2024, it is stated that his notice has been received by his staff. We find from the records that respondent no. 2 in Cr. Appeal (DB) No. 955 of 2024 has entered appearance through Mr. Gajanan Mishra, learned Advocate, therefore, all the respondents in Cr. Appeal (DB) No. 955 of 2024 have been validly served.

9. These four appeals are being tagged for consideration simultaneously.

10. List these matters after four weeks i.e. on 24.03.2025 under appropriate heading.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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