

SC No. 44487/15
State Vs. Radhey Shyam Mishra & Anr.
FIR No. 521/05
P.S: Welcome

18.01.2020

Present: Sh. D.K. Singh, Ld. Addl. PP for the State.
Both accused Radhey Shyam Mishra and Manoj Mishra on bail with
Ld. Counsel Sh. K.K. Jha and Sh. Prabhakar Thakur.

Ld. Counsel for accused persons has moved an application seeking exemption from personal appearance of both the accused persons till the disposal of criminal revision petition no.188/2007 filed on behalf of both the accused persons in the Hon'ble High court of Delhi or till the time the trial Court record is sent back to this court.

Heard on the application.

Ld. Counsel for accused persons has submitted that accused persons have challenged the order on charge framed against them in this case. It is further submitted that since the revision petition filed on behalf of accused persons, has been ordered to be listed in the category of regular matters, therefore, the date is not fixed for hearing in the revision petition and as per the orders of the Hon'ble High court, the regular matters are taken up for hearing as per their turn. Ld. Counsel for accused has also filed net generated cause list of regular matters in support of his arguments. It is further submitted that accused persons have come from Distt. Balrampur (U.P.) which is at a distance of about 800 km from here.

Considering the aforesaid circumstances coupled with the fact that file of this case is in Hon'ble High Court since March, 2015 for the disposal of revision petition filed by accused persons and many years have passed and

accused persons have come from a long distance therefore, both accused persons Radhey Shyam Mishra and Manoj Mishra are exempted from their personal appearance through their counsel, not proxy counsel, till further orders.

Be awaited for file from Hon'ble High Court for 28.03.2020.

(LALIT KUMAR)
ASJ-03/NE/KKD / 18.01.2020