

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (DB) No. 115 of 1995 (R)

Ribu Mahato Appellant

Versus

The State of Bihar (now Jharkhand) Respondent

with

Cr. Appeal (DB) No. 136 of 1995 (R)

Suresh Singh Sardar Appellant

Versus

The State of Bihar (now Jharkhand)... ... Respondent

CORAM: SRI SANJAYA KUMAR MISHRA, C.J.

SRI ANANDA SEN, J.

For the Appellant: Mr. Rajesh Kumar, Advocate

Ms Sunita Kumari, *Amicus Curiae*

For the State: Mr. Pankaj Kumar Mishra, A.P.P.

15/Dated: 24.07.2023

Mr. Rajesh Kumar, learned counsel for the appellants is present.

However, in connected case, i.e., Cr. Appeal (DB) No. 115 of 1995, on his absence on third occasion, we appointed Ms. Sunita Kumari, as *Amicus*, for appellant-Ribu Mahato.

Today, Mr. Rajesh Kumar, learned counsel, appears and submits that since he has filed Vakalatnama on behalf of the appellants in both the cases for Ribu Mahato and Suresh Singh Sardar, he should be allowed to argue and he cannot take help of Ms. Sunita Kumari, the learned *Amicus*, since she is junior to him. On top of it to the dismay of the Court, we must record that Mr. Rajesh Kumar, learned counsel, is not ready to argue the case today, hence, seeks adjournment.

However, keeping in view the rights of the appellants to engage the counsel of their own choice, we are giving one last indulgence to the learned counsel appearing for the appellants with a condition that the name of Ms. Sunita Kumari, would remain on record as *Amicus*

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and in case, Mr. Rajesh Kumar, do not appear on the next date of listing, we will hear Ms. Sunita Kumari, learned *Amicus* and pass appropriate orders.

Ms. Sunita Kumari, learned counsel, is also appointed as *Amicus* on behalf of appellant-Suresh Singh Sardar in Cr. Appeal (DB) No. 136 of 1995.

List these cases on 07.08.2023.

(Sanjaya Kumar Mishra, C.J.)

(Ananda Sen, J.)