

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (SJ) No. 40 of 2024

1. Binod Mahato
 2. Opindo Mahato @ Upendra Mahato, aged about 65 years
 3. Shambhu Mahato @ Shambhunath Mahato, aged about 53 years
 4. Jogindra Mahato @ Jogindar Mahato, aged about 51 years
- All are sons of Late Matuk Lala Mahato, residents of village Paharpur,
P.O. Jhiluwa, P.S. Govindpur, District- Dhanbad ... **Appellants**

-Versus-

1. The State of Jharkhand
2. Ramesh Modi @ Ramesh Kora, aged about 58 years, son of Jadu Kora,
resident of village Paharpur, P.O. Jhiluwa, P.S. Govindpur, District-
Dhanbad ... **Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellants : Mr. Gautam Kumar, Advocate
For the State : Mr. Sanat Kumar Jha, A.P.P.
For Respondent No.2 : Mr. M.B. Lal, Advocate

04/23.10.2024 I.A. No.6962 of 2024 has been filed for condonation of delay of 598 days in filing the present criminal appeal.

2. Learned counsel for the appellants submits that the appellants had earlier preferred Cr.M.P. No.1356/2021, which was dismissed as withdrawn vide order dated 17.01.2024 and, thereafter, the present criminal appeal has been preferred and in view of that, such delay has occurred.

3. Learned counsel for the State and respondent no.2 have got no serious objection.

4. In view of the above fact and considering the judgment passed by the Full Bench of the Hon'ble Allahabad High Court in the case of ***Ghulam Rasool Khan and others v. State of U.P. and others***, reported in ***2022 SCC OnLine All 975***, the prayer made in the said I.A. is allowed and the delay of 598 days in filing the present criminal appeal is, hereby, condoned.

5. Accordingly, I.A. No.6962 of 2024 is disposed of.

6. This appeal has already been admitted vide order dated 15.05.2024.

(Sanjay Kumar Dwivedi, J.)

Ajay/