

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.Appeal (DB)No. 281 of 1999R
with
Cr.Apepal(DB) Nos. 180, 102,158,159,136 & 269 of 1999R.

1. Manjhi Sumbrui
2. Bijay Sumbrui
3. Turi Sumbrui
4. Hajura Sumbrui Appellants (Cr.Appeal No.281/1999R)

- Chara Hessa Appellant (Cr.Appeal No.180/1999)
1. Dildar Sundi
2. Turam Gope (Appellants (Cr.Appeal No.102/1999R)

1. Nauru Sundi
2. Narsingh Sundi
3. Chhota @ Vijay Sundi
4. Bagun Sundi
5. Bhagwan Sundi
6. Chamak Lal Sundi
7. Bishkishan Sundi
8. Pradhan Sundi
9. Chogo Sundi
10. Ganga Sundi
11. Bagun Sundi @ Mutu Sundi
12. Daso Sundi
13. Babulal Sundi
14. Damu SundiAppellants (Cr.Appeal No.158/1999R)

1. Behra Purty
2. Anand SundiAppellants (Cr.Appeal No.159/1999R)

Ramesh SundiAppellant (Cr.Appeal No.136/1999R)

1. Ram Singh Sundi
2. Lal Singh Dundi
3. Dubraj Purty
4. Barju Sundi
5. Roro Purty
6. Nara PurtyAppellants (Cr.Appeal No.269/1999R)

-Versus-

State of Bihar(now Jharkhand) Respondent (in all cases)

CORAM : HON'BLE MR.JUSTICE VIRENDER SINGH, CHIEF JUSTICE
HON'BLE MR.JUSTICE D.N. UPADHYAY

...

For the Appellants : M/s P.C.Tripathi, Sr.Advocate, Vishal
Kumar Tiwary & Pravin Kumar,
Advocates

For the State : M/s Pankaj Kumar, Amresh Kumar,
Shekhar Sinha, Awnish Shankar &
Hemant Shikarwar, APPs.

Order no.17 / Dated 18th September, 2015
Per Virender Singh, C.J.

Cr.Appeal(DB) No.102 of 1999(R)

(1) Dildar Sundi (2) Turam Gope Appellants

We have been informed that Turam Gope is already dead. The instant appeal qua him stands abated.

As per the report submitted by learned Additional District Judge-I, Chaibasa dated 20th July, 2015, Dildar Sundi is absent and process under Sections 82/83 Cr.P.C. has already been issued against him. However, report is not received till date.

(Cr.Appeal No.136/1999R)

Ramesh Sundi Appellant

As per the report of learned Additional Sessions Judge, process under Section 82/83 Cr.P.C. has already been issued against him, but report is still awaited.

(Cr.Appeal No.158/1999R)

1. Nauru Sundi
2. Narsingh Sundi
3. Chhota @ Vijay Sundi
4. Bagun Sundi
5. Bhagwan Sundi
6. Chamak Lal Sundi
7. Bishkishan Sundi
8. Pradhan Sundi
9. Chogo Sundi
10. Ganga Sundi
11. Bagun Sundi @ Mutu Sundi
12. Daso Sundi
13. Babulal Sundi
14. Damu Sundi Appellants

The appellants-convicts Narsingh Sundi and Daso Sundi are stated to be dead. The instant appeal qua them stands abated.

It is stated in the report submitted by learned Additional Sessions Judge, Chaibasa that appellants-convicts, namely, Chhota @ Bijay Sundi, Bagun Sundi, Pradhan Sundi, Chogo Sundi and Babulal Sundi have already surrendered and all

are in custody, whereas against appellants-convicts, namely, Nauri Sundi, Bhagwan Sundi, Chamak Lal Sundi, Bishkishan Sundi, Ganga Sundi, Bagun Sundi , Motu Sundi and Damu Sundi process under Section 82/83 has already been issued and report is still awaited.

Cr.Appeal No. 159 of 1999R

(1) Behra Purty (2) Anand Sundi ... Appellants

Appellant-Anand Sundi is stated to be in custody, whereas warrant of arrest and process under Section 82/83 Cr.P.C. has already been issued against Behra Purty. The report is still awaited.

Cr.Appeal No. 180 of 1999R

Chara Hessa Appellant

Appellant-Chara Hessa is stated to be in custody.

Cr.Appeal No. 269 of 1999R

1. Ram Singh Sundi
2. Lal Singh Dundi
3. Dubraj Purty
4. Barju Sundi
5. Roro Purty
6. Nara Purty Appellants -

Against appellants-convicts Ram Singh Sundi, Dubraj Purty, Barju Sundi and Nara Purty, warrant of arrest and process under Section 82/83 Cr.P.C. has already been issued. The report is still awaited. Roro Purty is stated to be dead. The instant appeal qua him stands abated. Convict-appellant Lal Singh Sundi is stated to be in custody.

Cr.Appeal No. 281 of 1999R.

1. Manjhi Sumbrui
1. Bijay Sumbrui
2. Turi Sumbrui
3. Hajura Sumbrui Appellants

All the convicts- appellants are stated to be in custody.

We find another report dated 25th August, 2015 submitted by 1st Additional Sessions Judge, Chaibasa and

according to the said report, Nauro Sundi, Bhagwan Sundi, Chamaklal Sundi, Bishkishan Sundi, Pradhan Sundi, Bagun Sundi @ Motu Sundi and Damu Sundi against whom warrant of arrest were issued have since surrendered. They all are convicts-appellants in Cr. Appeal (DB) No. 158 of 1999R.

What one gathers from the two reports submitted by learned 1st Additional Sessions Judge dated 20th July, 2015 and 25.8.2015 that as many as eight convicts-appellants have not surrendered as yet. They are Dildar Sundi (Appellant in Cr.Appeal (DB) No.102 of 1999(R), Behra Purty (Appellant in Cr.Appeal (DB) No.159 of 1999(R), Ganga Sundi (Appellant in Cr.Appeal (DB) No.158 of 1999(R), Dubraj Purty, Barju Sundi, Nara Purty, Ram Singh Sundi (Appellants in Cr.Appeal (DB) No.269 of 1999(R) and Ramesh Sundi (Appellant in Cr.Appeal (DB) No.136 of 1999(R) .

Learned 1st Additional Sessions Judge, Chaibasa is thus directed to take all effective steps for ensuring arrest/surrender of the aforesaid eight accused for the reason that till they are taken in custody, the present seven Criminal Appeals which have been remitted by the Hon'ble Supreme Court cannot be taken on Board for final consideration. Four weeks time is granted for the same.

List again on **30th October, 2015.**

Order shall also be communicated to Senior Superintendent of Police concerned.

(Virender Singh, C.J.)

(D.N. Upadhyay, J.)