

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J) No. 743 of 2024

XXX

....

.....Appellant

Versus

The State of Jharkhand

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant : Mr. Saurav Kumar, Advocate

For the State : Mr. Nawin Kr. Singh, A.P.P

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Order No: 02/Dated: 02.09.2025

This Criminal Appeal has been filed through Jharkhand High Court Legal Services Committee on behalf of the appellant.

I.A No. 9740 of 2025

I.A No. 9740 of 2025 has been filed on behalf of the appellant under Section 5 of the Limitation Act for condoning the delay of 46 days in filing this instant Criminal Appeal.

2. Learned counsel for the appellant has submitted that the appellant is a poor person and the appellant is not in a position of incur expenses of filing an appeal by engaging counsel and hence, the appellant has appeared through DLSA, Jamtara and his case was forwarded to Jharkhand High Court Legal Services Authority and hence, the delay of 46 days in filing this instant Criminal Appeal may be condoned.

3. Learned counsel for the State raised no objection.

4. Having heard learned counsel for both the sides and in view of the averments made in Paragraph nos. 5 to 9 of the I.A No. 9740 of 2025, the delay of 46 days in filing this instant Criminal Appeal is, hereby, condoned.

5. Thus, I.A No. 9740 of 2025 is allowed and stands disposed of.

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6. Learned counsel for the appellant is directed to implead the victim girl X as Respondent No.2 in this case in course of the day.
7. Admit.
8. Call for the legible scanned copy of the Lower Court Records.
9. Learned counsel for the State is directed to get served the notice of this Criminal Appeal upon the guardian of victim girl “X” through Superintendent of Police, Seraikella in the light of judgment rendered in the case of *Nipun Saxena and Anr. Versus Union of India* reported in *(2019) 2 SCC 703* and also vide Notification No. 23/2023/R&S/JHC dated 20.12.2023 issued by the High Court of Jharkhand and shall file an affidavit regarding service of notice upon the guardian of victim girl “X”.
10. Put up this case after four weeks.
11. Let a copy of this order be sent to the Superintendent of Police, Seraikella by FAX and be also handed over to the learned counsel for the State for the needful.

(Sanjay Prasad, J.)

Avinash/