



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1197 of 1990

Ram Sumer Rai And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

Counsel for Appellant(s) : Gajendra Pratap, Kumar Amit
Counsel for Respondent(s) : A.G.A.

Court No. - 44

**HON'BLE J.J. MUNIR, J.
HON'BLE VINAI KUMAR DWIVEDI, J.**

The office report dated 21.1.2026 reads:

"In compliance of Hon'ble Court's order dated 07/01/26, a letter dated 08/01/26 with 04 NBW (flag 'B') has been sent to the C.J.M. concerned through speed post and Email.

No compliance report has been received as yet.

The case is put up for hearing."

Let show cause be issued to the learned Chief Judicial Magistrate, Ghazipur requiring him to submit his explanation why a report, in compliance with the order dated 07.01.2026, has not been submitted at all, let alone in time.

This Court, however, notes that appellant no. 3, Ram Nagina Rai and appellant no. 5, Sheo Prasad Rai, have been produced in custody by the Police in execution of our warrants. They have been produced by Anoj Kumar Singh, Sub-Inspector of Police (P.N.O.- 940898170) and Ramkrishna Yadav, Head Constable (P.N.O.- 112191694) both posted at Police Station- Bhawarkol, District- Ghazipur.

Since, these appellants did not appear, either personally or through a Counsel and have been brought in custody, let them be produced before the Chief Judicial Magistrate, Ghazipur with orders that he will remand them to judicial custody under a suitable custody warrant, pending this

appeal. This is not to say that the appellants would not have a right to move a fresh application for bail, if so advised.

We are informed by Mr. Shashi Shekhar Tiwari, learned Additional Government Advocate that appellant no. 1, Ram Sumer Rai and appellant no. 2, Ram Bachan Rai are dead. But, in the absence of a report from the Chief Judicial Magistrate, after necessary inquiries, in accordance with the circulars of this Court, we cannot take note of this information, much else act upon it.

The Chief Judicial Magistrate, Ghazipur, apart from answering the show cause, shall submit his report positively by the next date fixed.

List on **02.02.2026**.

Let this order be communicated to the learned Chief Judicial Magistrate, Ghazipur by the Registrar (Compliance) **by Tuesday i.e. 27.01.2026**.

(Vinai Kumar Dwivedi,J.) (J.J. Munir,J.)

January 22, 2026

Prashant D.