

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.338 of 2003

Arising Out of PS.Case No. -null Year- null Thana -null District- MUNGER

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Pushpa Joshi, wife of Amrendra Nath, resident of Keshopur, P.S.-Jamalpur,
District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Narendra Kumar alias Maniklal, son of Muneshwar Prasad, resident of village-
Kishopur Gate No.6, P.S.-Jamalpur, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Khurshid Alam, Advocate
Mr. Bakhteyar Yusuf, Advocate
For the Respondent/s : Mr. Bhanu Pratap Singh, APP
Mr. D. N. Jha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 28-01-2015

1. The Petitioner is aggrieved with the judgment of acquittal dated 5th April, 2003, passed by the Addl. Court (Fast Track), Munger, in Sessions Case No.401 of 1994 arising out of Jamalpur P.S. Case No.175 of 1993.

2. The case of the prosecution is that on the date of occurrence the Accused persons entered into her bed room and started to abuse them and thereafter one of the accused fired at his sister-in-law on account of which she was injured and the rest were assaulted.

3. During trial, the prosecution examined ten witnesses. On going through the judgment of acquittal, I find that the

Trial Court had disbelieved the prosecution case so far as the Opposite Party No.2 was concerned because he used to reside in one side of the house where the occurrence had taken place and the witnesses have stated that he was merely seen there which was a very natural sight since he was residing in the same house.

4. Considering the said reason, I am unable to find any fault in the same.

5. Hence, the revision application is dismissed.

(Anjana Prakash, J)

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