

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.59 of 2006

- =====
1. Md. Shamsul Haque @ Shamsul Mian, son of Aziz Mian
 2. Abdul Aziz @ Aziz Mian, son of Rajak Mian
 3. Md. Isa @ Isa Mohammad, son of Aziz Mian
- All are resident of village Khanejadpur, P.S. Minapur, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Moni Bhushan Kumar No. 1, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 25-08-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks revision of the Judgment of conviction dated 25.10.2005 passed by the 2nd Additional Sessions Judge, Muzaffarpur, in Criminal Appeal No. 62 of 1990.

It has been submitted that the Petitioners are agnates and there is a land dispute and the Court below has not appreciated the plea of alibi of Petitioner No. 1 who was a Constable in the Police Service. There was also a Proceeding under Section 107 Cr. P.C. between the Parties which makes the story of theft implausible.

Considering the aforesaid, the application is allowed and the Judgment of conviction dated 25.10.2005 passed by the 2nd Additional Sessions Judge, Muzaffarpur, in Criminal Appeal No. 62 of 1990 is hereby set aside.

(Anjana Prakash, J)

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