

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.14 of 2015

Arising Out of PS.Case No. -44 Year- 2001 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

Phul Chand Sahani, son of Late Chhathu Sahani, resident of village Koniya,
P.S. Chakiya, District-East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.
2. Lal Babu Sahani.
3. Binod Sahani.
Both sons of Ram Chandra Sahani.
4. Hiralal Sahani, son of Sarjug Sahani.
5. Ramchandra Sahani.
6. Mohan Sahani.
Both sons of Jhapas Sahani.
7. Mahendrfa Sahani, son of Musafir Sahani.
8. Rajendra Sahani, son of Musafir Sahani.
9. Manoj Sahani, son of Yogendra Sahani.
10. Sanjay Sahani, son of Yogendra Sahani.
11. Ajay Sahani, son of Mohan Sahani.
12. Yogendra Sahani, son of Sheoraj Sahani.
13. Sipahi Sahani, son of Ramchandra Sahani.
14. Police Sahani, son of Bhulan Sahani.
15. Jagdish Sahani, son of Bhulan Sahani.
Respondent Nos.2 to 15 all resident of village-Koniya, P.S. Chakiya,
District-East Champaran.

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Krishna Kant Singh, Advocate.
For the Respondent/s : Mr. A.K.Sinha(APP)

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
and
HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER
(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

2 07-01-2015 Informant of Chakia P.S. Case No.44/2001 has filed

this appeal assailing the Judgment dated 21.07.2014 passed by

Adhoc Additional Sessions Judge-I, East Champaran, Motihari, in

Sessions Trial No.447 of 2002 whereunder the private Respondent

Nos.2 to 15 have been acquitted of the charges levelled under Sections 147, 148, 149, 323, 324, 325, 504, 307/34 of the Penal Code on the allegation that accused persons assaulted the informant and other members of the prosecution party while they were conducting agricultural operation in Plot Nos.1012 and 1013 appertaining to Khata No.135 of village-Koniya on the ground that there is a counter version of the occurrence filed by the defence bearing Chakia P.S. Case No.45/ 2001 as also the Judgments passed in the Title Suit No.24/90 and Title Appeal No.23/2001 and with reference to those documents has held that the accused persons being the title holders of the lands in question there was no occasion for them to have committed the offence of rioting and connected offences on the lands in question. In view of such findings recorded in paragraphs-14 and 15 of the impugned Judgment by the trial court, we are not inclined to interfere with the same.

This Appeal is, accordingly, dismissed.

(V.N. Sinha, J)

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--