

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.643 of 2015

Arising Out of PS.Case No. -25 Year- 2000 Thana -DAUDPUR District- SARAN

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1. Mahant Chauby S/o Late Vishwanath Chaubey, R/o Village - Seetalpur,
P.S. - Daudpur, District - Chapra (Saran).

.... Appellant/s

Versus

1. The State of Bihar.
2. Sunil Singh,
3. Ajay Mishra,
4. Vinay Singh,
5. Rajdev Yadav, All are Seetalpur, P.S. - Daudpur, District - Chapra
(Saran)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwary

For the Respondent/s : Mr. A.Sharma (App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 01-09-2015

I.A. No.1266 of 2015

Heard learned counsel for the appellant-applicant and
learned counsel for the respondents.

Having considered the reasons assigned in the
present petition seeking condonation of delay and having heard
the learned counsel for the parties, this Court is satisfied that the
appellant was prevented by sufficient causes from preferring the
appeal within time.

In view of the above, the delay in preferring the

criminal appeal is hereby condoned.

I.A. No. 1266 of 2015 stands disposed of.

Criminal Appeal (DB) No.643 of 2015

This appeal is preferred against the judgment and order dated 12.02.2015, passed in Sessions Trial No.464 of 2002/4642 of 2014, by learned Additional Sessions Judge, 4th, Saran, Chapra, acquitting the accused respondent Nos.2, 3, 4 and 5 of the charge framed against them under Section-364A /34 of Indian Penal Code.

Heard Mr. Ajay Kumar Tiwary, learned Counsel, appearing on behalf of the appellant, who was the informant of the case, and Mr. Abhimanyu Sharma, learned Additional Public Prosecutor, appearing on behalf of the State respondent.

Having perused the impugned judgment and upon hearing learned Counsel for the appellant, we find that there was, admittedly, no eye-witness to the alleged occurrence of abduction of the victim. There is no such circumstantial evidence which could have brought the learned trial Court to the lone and only conclusion that the accused appellant had abducted the alleged victim.

We find no infirmity, legal or factual, in

appreciation of the evidence on record by the learned trial Court.

We, therefore, see no reason to admit the Appeal.

The Appeal shall not be admitted and shall, accordingly, stand dismissed.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

K.C.jha/-

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