

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.507 of 2016

Arising Out of PS.Case No. -164 Year- 1992 Thana -FATUHA District- PATNA

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Ashok Kumar son of Late Ram Babu Singh resident of Budhu Chak, P.S. Fatuha, District- Patna.

.... Appellant

Versus

1. The State of Bihar
2. Ramdeo Singh son of Late Gulabchand Singh
3. Sidheshwar Singh son of Late Udit Singh
4. Indradeo Singh son of Late Udit Singh
5. Ganga Singh son of Late Ram Awatar Singh
6. Vijay Singh son of Late Ram Awatar Singh
7. Raju Singh son of Ramdeo Singh All are resident of Village- Budhu Chak, P.S.- Fatuha, District- Patna.

.... Respondents

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Appearance :

For the Appellant : Mr. Sanjeev Kumar Sinha, Advocate
Mr. Anil Kumar Deuvedi, Advocate

For the Respondents : Mr. S.N.Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

4 16-11-2016

Heard the learned counsel for the appellant.

This appeal is against acquittal of the respondents for the offences, inter-alia, under section 307 of the I.P.C. and section 27 of the Arms Act.

We have gone through the judgment under appeal. We are satisfied that no injustice has been done, inasmuch as, only three prosecution witnesses were examined out of whom one were declared hostile and another in cross-examination states that he

was away from Patna on the date of occurrence and the third witness alleges that his father was brutally assaulted and his neck was fractured. He also received several injuries by lathi and other weapons but neither the injury has been proved nor the injury report is on the record. Neither the informant nor the investigating officer and any doctor have been examined. In such circumstances, the trial court acquitted the accused persons.

In that view of the matter, there is no reason to interfere with the appeal. It is accordingly dismissed.

(Navaniti Prasad Singh, J)

Rajiv/-

(Jitendra Mohan Sharma, J)

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