

IN THE HIGH COURT OF JUDICATURE AT PATNA
Govt. Appeal (DB) No.19 of 2016

State of Bihar

.... Appellant

Versus

1. Prakash Ram @ Jay Prakash Ram, S/o Hari Ram
2. Mewalal Ram, S/o Hari Ram
3. Hari Ram, S/o Late Bhukhan Ram
4. Triloka Devi, W/o Hari Ram
5. Kumari Devi, W/o Mewa Lal Ram
6. Kusum Devi, W/o Mishri Ram
7. Sanjay Ram, S/o Mewalal Ram.

All R/o Village- Devariya, P.S- Mohaniya, District- Kaimur (Bhabua).

.... Respondents

Appearance :

For the Appellant/s : Mr. Dilip Kumar Sinha, APP

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH)

2 08-08-2016

Heard learned counsel for the appellant.

This appeal is directed against the judgment of acquittal, dated 16.02.2016, passed by learned Additional Sessions Judge-VI, Kaimur at Bhabhua in Sessions Trial No. 416 of 2013.

The prosecution case in short as made out in the fardbeyan of Kalendra Kumar (P.W.3) is that his cousin sister, namely, Dharamshila Devi (deceased) was married to Jai Prakash Ram (respondent no.1) son of Hari Ram of Village- Deoria, P.S. Mohania, District Kaimur about 10-11 years back. Soon after

marriage, the accused persons began to torture his sister for dowry. His sister always used to inform him and others, about the torture. On 28.06.2013, at about 4.30 A.M., he received a call from the mobile of Jai Prakash Ram (respondent no.1) that Dharamshila Devi is ill. Upon receipt of the information, he came to Sasural of his sister, but he did not find her in the house. However, sons and daughter of Dharamshila were crying and saying that the accused persons have killed their mother.

On going through the judgment, we find that the Additional Sessions Judge-VI, Kaimur at Bhabhua has discussed the deposition of all the witnesses in detail. We further find that the informant in his statement has not stated about any demand of dowry. The Additional Sessions Judge has come to a definite finding that the deceased died on account of ailment, as such, we find no merit in the instant Government appeal and, it is, accordingly dismissed.

I.A. No.1526 of 2016 also stands dismissed.

(Samarendra Pratap Singh, J.)

(Rajendra Kumar Mishra, J.)

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