

IN THE HIGH COURT OF JUDICATURE AT PATNA
Govt. Appeal (DB) No.18 of 2016

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The State of Bihar through Collector, Vaishali.

.... Appellant/s

Versus

1. Jitendra Nath Prasad son of late Bishwanath Prasad.
2. Satendra Nath Prasad son of late Bishwanath Prasad.
3. Rajeev Ranjan Prasad son of Jitendra Nath Prasad. All resident of village-
Makhdumpur, P.S. Vaishali, District- Vaishali.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH)

Date: 01-08-2016

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

The instant Government Appeal is preferred against
the Judgment of acquittal dated 18.03.2016 passed by the 8th
Additional Sessions Judge, Vaishali at Hazipur in Sessions Trial
No. 91 of 1995, whereby he has acquitted the Opposite Party Nos. 1
to 3 for the charge under Sections 307/34 of the I.P.C. and 27 of the
Arms Act.

We find that the Trial Court after considering all the
evidence on record has arrived at the conclusion that the
prosecution does not stand proved because of non-examination of

Investigating Officer and also for non-production of the Injury Report.

Hence, we find no infirmity in the Judgment of acquittal passed by the Trial Court. As such, there is no merit in the Government Appeal. Accordingly, the same is dismissed.

(Samarendra Pratap Singh, J)

(Rajendra Kumar Mishra, J)

Shail/-

AFR/NAFR	NAFR
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