

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (DB) No.820 of 2016

Arising Out of PS.Case No. -41 Year- 1996 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. GAJENDRA PRASAD SINGH @ GAJENDRA SINGH @
GAJENDRA SAHANI S/o Dargo Singh R/o vill Semrahah P.S.-Rajepur
District East, Champaran Appellant

Versus

1. The State of Bihar
2. Mahindra Rai
3. Tilak rai Both S/o Pratap Rai
4. Gandhi Rai S/o Tilak Rai
All R/o vill Semraha P.S. Rajepur Dist E. Champaran

.... Respondents

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Appearance :

For the Appellant/s : Mr. Dhannjay Kumar No 2

For the Respondent/s : Mr. Sri Abhimanyu Sharma, 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)

2 23-11-2016 This is an appeal against the judgment of acquittal dated 11th May, 2016 passed in Sessions Trial No. 396 of 2000 / 448 of 2015 by learned 4th Additional Sessions Judge, Motihari, East Champaran filed by the informant who was the victim.

Heard learned counsel for the appellant and we have gone through the judgment of the trial court. We have no reason to interfere. The trial court has noted that only two prosecution witnesses were examined, PW 1 was not relevant and so far as PW 2 is concerned, he was the son of the informant though not a victim himself. The informant who was the victim has not been

examined. The Investigating Officer has not been examined, the Doctor has not been examined, the injury report has not been proved and in such a situation the trial court has rightly acquitted the accused persons.

Learned counsel for the appellant submits that the witnesses had no information. It is surprising that though the informant's son has appeared and has given his evidence, the other witnesses had no information, we think otherwise. There is no reason to interfere. This appeal is accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Jitendra Mohan Sharma, J)

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