

IN THE HIGH COURT OF JUDICATURE AT PATNA

Govt. Appeal (DB) No.13 of 2015

=====

The State of Bihar through the District Magistrate, Rohtas, Sasaram having
his office at Collectorate Compound, Rohtas, Sasaram, District Rohtas

.... Appellant

Versus

Raj Kumar Singh S/O Bhukhani Singh resident of Gamharia, P.S.- Sasaram
(Agrer), District- Rohtas

.... Respondent

=====

Appearance :

For the Appellant : Mr. Mukeshwar Dayal, APP

For the Respondent : None

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN

SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

9 20-01-2016

Heard learned Counsel for the appellant.

Against the acquittal of the respondent herein, an
appeal was filed by the informant, which gave rise to Criminal
Appeal (DB) No. 1031 of 2013 (Maya Devi Vs. The State of
Bihar & Anr.).

By the order, dated 11.02.2014, the appeal was
dismissed by a Division Bench of this Court with the following
observations:

“2. Informant of Sasaram (Agrer) P.S. Case No. 334
of 2010 is the appellant. She has filed this appeal
assailing the judgment dated 29th August, 2013
passed by Ad hoc Additional Sessions Judge – IV,
Rohtas at Sasaram in Sessions Trial No. 268/2010,



whereunder prosecution case as unfolded during trial that respondent Raj Kumar Singh killed her husband in the night of 15.04.2010 while he was sleeping in front of his Rice Mill in Gamharia village has been disbelieved. First Information Report was registered against unknown. During trial P.Ws. 1 and 3 deposed that they had seen the private respondent killing the deceased by firearm. Such version the two witnesses was not disclosed during investigation, which has been confirmed by the Investigating Officer P.W. 8 in his evidence and noticed in paragraph no. 12 of the impugned judgment. The two witnesses are also found to be the relative of the informant as would appear from paragraph no. 18 of the judgment. The trial Court having considered the other relevant aspect of the matter connected with the case in paragraph no. 22 of the judgment has proceeded to disbelieve the prosecution story.

3. We do not find any error in the approach of the trial Court. The appeal is dismissed.”

We do not find, in the present case, any reason to disagree with the inferences drawn, and the conclusions reached, by the Division Bench in its order, dated 11.02.2014.

In view of the above and in the interest of justice, this appeal is not admitted and shall accordingly stand dismissed.

There shall not be any order as to costs.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

Pawan/-

U			
---	--	--	--

