

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.1062 of 2016

Arising Out of PS.Case No. -11 Year- 2010 Thana -ANGARGHAT District- SAMASTIPUR

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Ashok Sahani, Son of Sri Jai Narain Sahani, Resident of Village Chaita Dakahini, P.S. Angarghat District - Samastipur.

.... Appellant

Versus

1. The State of Bihar.
2. Kari Sahani, Son of Late Ram Prasad Sahni.
3. Jai Niwas Sahni.
4. Ram Niwas Sahni.
5. Varun Sahni.
6. Arun Sahni.
7. Ram Sagun Sahni alias Sagun Sahni, All sons of Kari Sahni, Resident of Village- Chaita (South) Tola- Bela, P.S.- Angarghat, District- Samastipur.

.... Respondents

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Appearance :

For the Appellant : Mr. Neeraj Kumar @ Sanidh, Advocate

For the Respondents : Mr. 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)

3 08-12-2016

Heard learned counsel for the appellant.

This is an appeal against acquittal in respect of major charge under Section 307 of the Indian Penal Code.

We have gone through the judgment under appeal. We find no reason to interfere. The allegation is that there has been dispute between the villagers with regard to land. There was brick batting by one side from top of their house, pursuant thereto there was fight amongst the villagers and injuries were sustained.



The trial Court, in our view, has rightly held that it is not a case punishable for the offence under Section 307 of the Indian Penal Code as there was no intention to kill.

In view of nature of injury and genesis of occurrence, we have no reason to disagree. This appeal is accordingly dismissed.

(Navaniti Prasad Singh, J.)

Rajiv/abhay

(Jitendra Mohan Sharma, J.)

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