

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.684 of 2015

Arising Out of PS.Case No. -218 Year- 2008 Thana -BARH District- PATNA

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1. Bijindra Rai son of Late Nand Lal Rai, Resident of Village- Salempur,
P.S.- Barh, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar
2. Baunu Yadav @ Sujay Yadav son of Vidhya Rai
3. Suli Yadav
4. Jitu Yadav Both sons of Late Vidhya Rai
5. Fula Devi Wife of late Vidhya Rai, All resident of Village- Shah
Salempur, P.S.- Barh, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Swarup Prasad, Advocate

For the Respondent/s : Mr. Bipin Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 09-12-2016 This appeal has been preferred under proviso to

Section 372 of the Code of Criminal Procedure against judgment
and order dated 10.09.2015 passed by learned Additional Sessions
Judge II, Barh, whereby he has recorded acquittal of respondents
No. 2 to 5 in Sessions Trial No. 51 of 2009. The said respondents
stood charged of the offence punishable under Section 366 of the
Indian Penal Code, at the trial.

Learned trial court after having considered that there
was no independent witness, who support the charge and the
testimony of the victim was not trustworthy, giving them benefit
of doubt, has recorded their acquittal.



I do not find any perversity in the findings recorded by the trial court.

This appeal does not deserve admission and is, accordingly, dismissed, at the state itself.

(Chakradhari Sharan Singh, J)

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