

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.881 of 2014

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1. Ramakant Singh Son of Late Ram Sagar Singh Resident of Village -
Maldah, P.S. Barbiga, District - Sheikhpura (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

2. Mithilesh Singh

3. Awadhesh Singh

4. Satish Singh

5. Sanjay Singh All Sons of Late Dwarka Singh Resident of Village -
Maldah, P.S. Barbiga, District - Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar

For the Respondent/s : Mr. Navin Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-02-2017 Heard learned counsel for the parties.

2. The present criminal revision application has been filed under Sections 397 read with 401 of the Code of Criminal Procedure, 193. The petitioner is aggrieved by judgment and order dated 15.07.2014 passed in Criminal Appeal No. 40 of 2013 by learned First Additional Sessions Judge, Sheikhpura, whereby he has allowed criminal appeal filed on behalf of Opposite party Nos. 2 to 5 and set aside the judgment of conviction and order of sentence dated 08.03.2013 passed by learned Judicial Magistrate Ist Class, Sheikhpura in G. R. Case No. 867 of 2007.

3. The trial Court had convicted the Opposite parties of



the offence punishable under Sections 323,441,447 and 380 of the Indian Penal Code and sentenced them to undergo imprisonment for a period of one year, one month, three months and one year respectively for the said offences or all the sentence are directed to run concurrently.

4. Upon perusal of the impugned order, I find that learned appellate Court has re-appreciated the evidence adduced at the trial and has come to the conclusion that the prosecution totally failed to establish the charge levelled against the Opposite parties Nos. 2 to 5, beyond the shadow of all reasonable doubts. Learned appellate Court has pointed out legal infirmities in the judgment of conviction which cannot be said to be erroneous.

5. I do not find any perversity or such legal infirmity in the impugned judgment and order so as to require interference by this Court in revisional jurisdiction.

6. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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