

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.1205 of 2016

Arising Out of PS.Case No. -163 Year- 2012 Thana -RAJAUN District- BANKA

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Anandi Prasad Singh

.... Appellant/s

Versus

1. The State of Bihar.
2. Subhash Prasad Singh, son of late Drablal Singh.
3. Panchi Devi @ Prem Lata Devi wife of Subhash Prasad Singh.
4. Mukesh Kumar Singh, son of Subhash Prasad Singh all resident of village Goradih P.S. Rajaun District Banka

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mritunjay Prasad Singh, Advocate

For the Respondent/s : Mr. Smt. Abha Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

5 01-03-2017 Heard Mr. Mritunjay Prasad Singh, learned counsel, in support of this appeal against acquittal by the informant who himself did not get examined in the Trial Court.

The allegation, as apparent from the judgment of acquittal, is that when the informant and others went to stop the accused persons from cutting paddy, ensuing fight in which the informant alleged to have been assaulted on the head in the paddy field itself. Thus, the charge under Section 307 IPC, the Trial Court has noted that there was no intention to kill apart from the fact that neither the injury was proved nor the informant examined. The Trial having thus concluded with virtually no



evidence, the Trial Court rightly acquitted the accused persons.

We find no reason to take a different view of the matter. Accordingly, the appeal is dismissed.

(Navaniti Prasad Singh, J)

(Vikash Jain, J)

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