

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.758 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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1. Mantosh Kumar Son of Late Ram Rekha Choudhary Resident of Village -
Laxamanpur Batha, P.S. - Parasi, District - Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binayak Kumar Shrivastava

For the Respondent/s : Ms. (Dr.) Indihar Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

JUDGMENT AND ORDER

ORAL

Date: 12.01.2017

This criminal revision application has been filed against the order, dated 02.05.2014, passed by the learned Additional Sessions Judge XI, Patna, in Criminal Misc. No. 15 of 2014, whereby he has rejected the claim of the petitioner for compensation of a sum of Rs. 20,00,000/- on the death of his relatives, namely, Bhuni Devi, Meena Devi, Sumitra Kumari and Arbind Kumar, in a carnage, which had taken place in the year 1997.

2. The persons put on trial in the case arising out of the said carnage were finally acquitted by the judgment and order, dated 09.10.2013, passed by a Division Bench of this Court, in Death Reference No. 05 of 2010 and other criminal appeals arising out of the same trial. However, while acquitting the persons who were convicted of the charge by the learned



Trial Court, the Division Bench had directed payment of compensation to the next kin of the victims by applying the principle underlying the Motor Vehicles Act, 1988.

3. The petitioner, claiming to be the maternal grandson of the deceased, Bhuni Devi, filed an application before the learned Court below, seeking compensation amount.

4. It seems from the impugned order that ex-gratia payment was already made to one Mahendra Choudhary on account of death of his grand mother, Bhuni Devi, father Nanhak Choudhary, son Arbind Choudhary and daughter Sumitra Kumari. The petitioner, who is not direct descendant of the deceased, has not been held to be entitled for compensation amount by the order of the learned Court below. There is absolutely no ground taken in the present criminal revision application as to how the order impugned is bad, requiring interference by this Court.

5. I do not find any illegality in the impugned order. This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
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