

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.15 of 2017

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1. Puspa Devi Wife of Mahendra Ram @ Dinesh Ram resident of Vill-Nawadih P.S.-Indrapuri Dist-Rohtas, At Present residing at Vill-Bisaini P.S.-Nokha District Rohtass.

.... Appellant/s

Versus

1. The State of Bihar
2. Mahendra Ram @ Dinesh Ram Son of late Mahabir Ram Resident of Village-Nawadih P.S.-Indrapuri Dist.-Rohtas.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajnish Kumar Dubey
For the Respondent/s : Mr. Sri Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 20-06-2017 Heard learned counsel for the parties.

The Respondent No.2, who is husband of the petitioner has been acquitted of the charge under Sections 498A and 323 of the Indian Penal Code by judgment and order, dated 23.12.2016 passed in Complaint Case No. 839 of 2010/Trial No. 467 of 2016, by the learned Judicial Magistrate First Class, Dehari, Rohtas.

The petitioner has preferred the present application for grant of leave to appeal under Section 378(4) of the Code of Criminal Procedure, 1973.

I have perused the memo of appeal carefully and I find that no case for grant of leave to appeal is made out. It is not the case of the petitioner that findings recorded by the



Court below leading to acquittal of the Respondent NO.2 are wholly erroneous. I am not required to reiterate the principle that acquittal of an accused reaffirms the legal presumption of his innocence and unless the judgment of acquittal is completely perverse, the Court exercising appellate power is not required to interfere.

No case for grant of leave to appeal is made out.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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