

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.208 of 2017

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

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1. Chandrawati Devi, wife of Kanhaiya Ram, resident of village Nawada, Police Station Jalalpur, District Chapra (Saran) Petitioner

Versus

1. The State of Bihar

2. Ashok Kumar Singh, son of Late Ramakant Singh

3. Suresh Singh, son of Parshuram Singh

2 and 3 are resident of village Nawada, Police Station Jalalpur, District Chapra (Saran)

.... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

Date: 23-06-2017

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State of Bihar.

2. The present application has been filed under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973, by the petitioner, against the judgment and order, dated 22.12.2016, passed, in Sessions Trial No. 245 of 2012, arising out of Jalalpur Police Station Case No. 90 of 2010, whereby the learned Additional Sessions Judge I –cum- Special Judge, Saran, at Chapra, has recorded acquittal of Opposite Party No. 2 for the charge under Sections 341 and 323 of the Indian Penal Code and Sections 3 (1) (x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities)



Act.

3. Learned Counsel appearing on behalf of the petitioner has attempted to persuade this Court that appreciation of evidence by the learned Court below is erroneous and the learned Court below has not duly considered the evidence, which were sufficient to establish the case of the prosecution beyond all reasonable doubts.

4. On perusal of the impugned judgment and order, other materials on record and upon perusal of submissions advanced on behalf of the petitioner, I do not find any perversity in the impugned judgment and order, requiring interference by this Court with the judgment and order of acquittal. The learned Court below has found the charges not to have been proved beyond all reasonable doubt on appreciation of evidence. The said findings cannot be said to be not a reasonably possible view.

5. I do not see any perversity in the findings recorded by the learned Court below. I, therefore, do not find any merit in this application.

6. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.06.2017
Transmission Date	28.06.2017

