

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.1118 of 2016

Arising Out of PS.Case No. -69 Year- 2009 Thana -JAGDISHPUR District- BHAGALPUR

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Sabina Khatoon, wife of Shah Alam @ Buddhu, resident of village-
Salempur, P.S. Jagdishpur, District-Bhagalpur

.... Appellant

Versus

1. The State of Bihar
2. Parwej Aktar, son of Sabir Ali, resident of village- Salempur, P.S. Jagdishpur, District-Bhagalpur
3. Sarfaraj Son of Md. Tabrak, resident of Neech Sakrama, P.S. Sanaulah, District-Bhagalpur

.... Respondents

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Appearance :

For the Appellant/s : Mr. None.

For the Respondent/s : Mr. Sri Dilip Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

10 21-07-2017 On call, none appeared on behalf of the appellant, whereas Sri Dilip Kumar Sinha, learned Addl. Public Prosecutor is present.

The present appeal has been filed against the Judgment of acquittal without any petition for grant of leave. Normally, we are not entertaining any appeal against acquittal in absence of any petition for grant of leave under Section 378(3) of the Code of Criminal Procedure. However, earlier indulgence was granted to learned counsel for the appellant for filing petition for grant of leave. Office note suggests that no leave petition has been filed.



Accordingly, in absence of any petition for grant of leave under Section 378(3) of the Code of Criminal Procedure, the appeal stands dismissed.

(Rakesh Kumar, J)

(Mohit Kumar Shah, J)

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