

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.372 of 2017

Arising Out of PS.Case No. -137 Year- 2001 Thana -BAKHTIYARPUR District- PATNA

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Bharat Yadav S/o - Late Ram Chandra Yadav R/o - Village - Paidal Chak,
P.S. Bakhtiyarpur, District - Patna.

.... Appellant

Versus

1. The State of Bihar.
2. Ram Naresh Yadav
3. Braj Kishore Yadav @ Birje Yadav both S/o Late Ram Nandan Yadav
Both Residents of Village - Paidaul Chak, P.S.Bakhtiyarpur,
District - Patna.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ashok Kumar

For the Respondent/s : Mr. 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)

6 05-07-2017 Sri Ashok Kumar, learned counsel for the appellant,

in presence of learned Addl. Public Prosecutor, again requests for

granting time for filing petition for grant of leave.

Normally, we are not entertaining any appeal
against acquittal in absence of leave petition 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, but till date same has not been filed and today
again same prayer is being reiterated.

Accordingly, in absence of petition for grant of



leave, the appeal against acquittal stands dismissed.

(Rakesh Kumar, J)

(Mohit Kumar Shah, J)

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