

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.25 of 2013

Arising Out of PS. Case No.-252 Year-2000 Thana- SILAW District- Nalanda

-
1. Dhuri Ram S/o Late Badri Ram Resident of Village- Bulla Bigha,
Police Station- Silao, District- Nalanda at Biharsharif
 2. Malti Devi W/o Dhuri Ram Resident of Village- Bulla Bigha,
Police Station- Silao, District- Nalanda at Biharsharif

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bindhyachal Singh
		Mr. Vipin Kumar Singh
For the Respondent/s	:	Mrs. Abha Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 25-09-2018

Heard learned counsel for the appellants and learned APP for the State on this criminal appeal.

2. This criminal appeal has been preferred against the judgment and order of conviction dated 15.09.2012 and order of sentence dated 21.09.2012 passed by the Adhoc Additional Sessions Judge-III, Nalanda, Biharsharif in Sessions Trial no. 650 of 2001 arising out of Silao P.S. Case No. 252 of 2000, whereby the learned trial court convicted the accused Dhuri Ram and Malti Devi for the offence punishable under Sections 304(B) and 201 of the Indian Penal Code and sentenced them to undergo R.I. for seven years under Section



304(B) of the Indian Penal Code and further sentenced them to undergo R.I. for three years under Section 201 of the Indian Penal Code and also slapped them with a fine of Rs. 2000/- each and in case of default of payment of fine to further undergo S.I. for three months each. All the sentences were directed to run concurrently.

3. The factual matrix of the case is that Silao P.S. Case No. 252 of 2000 was instituted under Sections 498(a), 304(B) and 201/34 of the Indian Penal Code against accused , namely, Vimlesh Ram, Akhilesh Ram, Bachhwa Ram, Dhuri Ram, wife of Dhuri Ram and wife of Akhilesh Ram on the basis of *fardbeyan* of Urmila Devi W/o Late Munni Ram recorded by S.I. Yogendra Prasad of Police Station Silao, District Nalanda on 29.06.2000 at 9:15 AM at cremation place of village Bulla Bigha with the allegation, in succinct that on 28.06.2000 the informant during the course of regressing to her marital house from maternal house got rumour base information that girl of village Nohasa Math has been eliminated by her in-laws and on giving chase, the accused persons left the half burnt dead body at the burning place. She suspected death of her daughter in the occurrence. On the said information, she immediately arrived at her village where she learnt that in-laws of her daughter were



cremating her dead body after eliminating, on getting information by one Rajesh Ram, her villagers rushed to the burning place, then the accused persons including Dhuri Ram and Malti Devi made good their escape leaving the half burnt dead body. Her villagers named in the First Information Report witnessed them escaping from the aforesaid place. Learning the same, she arrived at the burning place located at the bank of Paimar River and found the aforesaid villagers present and half burnt dead body of her daughter there. Further allegation is that she had performed marriage of her daughter Rani Devi with Vimlesh Ram five years back. One month back to her death, her in-laws drove her out from her marital house thrashing her. She had divulged her that all the accused persons named in the FIR including the Dhuri Ram and Malti Devi drove her out of her marital house thrashing her. Her in-laws wanted to oust her of her marital house in order to perform second marriage of their son. Further allegation is that all the accused persons used to demand cycle and wrist watch in dowry since after the marriage and on failure to cough up their demand, they used to subject her to torture and finally eliminated her on 28.06.2000 and were cremating her dead body at the aforesaid place to cause disappearance of evidence of offence.



4. The aforesaid case was investigated by the police and on conclusion of investigation, I.O. submitted charge-sheet against the accused Dhuri Ram and Malti Devi under Sections 498(A), 304(B)/201/34 of the Indian Penal Code showing the accused Bachhwa Ram dead and other accused persons, namely, Vimlesh Ram, Akhilesh Ram, Numia Kumar and Geeta Devi absconding.

5. On receiving the charge-sheet and case diary and perusing the same, the learned Magistrate took cognizance of the offence and committed the case to the court of sessions and after commitment and on transfer finally the case came in seisin of the Adhoc Additional Sessions Judge-III, Nalanda, Bihar Sharif for trial.

6. Charge against accused Dhuri Ram and Malti Devi was framed under Sections 304(B), 498(A), 201 and 302/34 of the Indian Penal Code. Charge was read over and explained to them by the court to which they pleaded not guilty and claimed to be tried.

7. To substantiate its case, in ocular evidence, the prosecution has examined altogether eleven prosecution witnesses namely, Awdhesh Ram as PW-1, Krisna Kumar as PW-2, Dharm Kumar as PW-3, informant Urmila Devi as PW-4,



Rajesh Ram as PW-5, Nandu Ram as PW-6, Surain Ram as PW-7, Ayodhya Singh as PW-8, Yogendra Singh as PW-9, Akhilesh Ram as PW-10 and Lallan Singh as PW-11. Out of the aforesaid witnesses PWs- 7, 8 and 9 turned hostile. In documentary evidence, the prosecution has filed and proved some documents by way of documentary evidence.

8. The statement of the accused persons was recorded under Section 313 of the Code of Criminal procedure. The case of the defence is complete denial of the occurrence claiming themselves to be innocent. The accused persons also examined two witnesses namely, Purusottam Ram as DW-1 and Gauri Ram as DW-2 in ocular evidence in buttress of their case.

9. After hearing the parties and perusing the record, the learned trial court passed the impugned judgment and order of conviction and sentence as detailed in the earlier paragraph.

10. Being aggrieved and dissatisfied with the aforesaid judgment and order of conviction and sentence, the convicts have preferred the present Criminal Appeal.

11. The point for consideration in this case is, as to whether the prosecution has been able to bring home the charges levelled against the appellants beyond all reasonable doubts or



not.

12. It is submitted by learned counsel for the appellants that there are five important ingredients of Section 304(B) IPC, such as (a) the death of woman was caused by burns or bodily injury or had occurred otherwise than under normal circumstances (b) such death should have occurred within seven years of her marriage (c) the deceased was subjected to cruelty or harassment by her husband or by any relative of her husband (d) such cruelty or harassment should be for or in connection with demand of dowry (e) to such cruelty or harassment the deceased should have been subjected to soon before her death. In order to get conviction of the accused under the aforesaid section, the prosecution is required to establish all the aforesaid essential ingredients of Section 304(B) of the IPC and in case of failure to prove any of its ingredients, the accused cannot be convicted under the aforesaid Section. It is further submitted that under Section 113-B of the Indian Evidence Act the burden lies on the accused to prove his innocence in case the death of woman was caused by burns or bodily injury or had occurred otherwise than under normal circumstances in her marital house, but the aforesaid burden shifts on the accused only in case the prosecution successfully substantiate the



demand of dowry by the accused, subjecting the deceased to torture over the said demand by him and also subjecting the deceased to the cruelty or torture soon before her death. But in the case under hand, the prosecution has utterly and miserably failed to substantiate the aforesaid ingredients i.e. demand of dowry, subjecting the deceased to torture over the said demand and also subjecting her to torture soon before her death over the said demand by adducing consistent, trustworthy and reliable evidence, hence, the burden does not shift upon the appellants to prove their innocence and for want of substantiation of the aforesaid ingredients of Section 304(B), they cannot be convicted under the aforesaid Section. It is further submitted that the appellants happen to be parents in-law of the deceased and the deceased had been living along with her husband separately from the appellants and the appellants had no concern with their affairs and deceased has died due to her natural death, but the informant has falsely implicated the appellants with ulterior motive to extort money from them. The aforesaid case of the appellants also stands corroborated by the prosecution witnesses, namely, PW-10 and PW-11. It is further submitted that though the witnesses have stated that they had seen the appellants and other accused persons cremating the dead body



of the deceased, but there is vital contradiction in their testimonies which goes to rule out witnessing of the occurrence of cremating the dead body of the deceased by the appellants. Thus, the prosecution has utterly and miserably failed to substantiate the prosecution case against the appellants beyond all reasonable doubts by adducing convincing, cogent and worth credence ocular and documentary evidence. Hence, the impugned judgment and order of conviction and sentence passed against the appellants is liable to be set aside and the appellants are entitled to be acquitted.

13. On the other hand, learned APP advocating the correctness and validity of the impugned judgment and order of conviction and sentence, submitted that the informant has fully supported the prosecution case. Other witnesses have also corroborated the aforesaid case of the prosecution and after correctly appreciating the facts and evidence on record, the learned trial court has rightly passed the impugned judgment and order of conviction and sentence which is liable to be upheld and this appeal is shorn of merit and is liable to be dismissed.

14. In order to seek conviction under Section 304B I.P.C. against a person for the offence of dowry death, the



prosecution is obliged to prove that (a) the death of woman was caused by burns or bodily injury or had occurred otherwise than under normal circumstances (b) such death should have occurred within seven years of her marriage (c) the deceased was subjected to cruelty or harassment by her husband or by any relative of her husband (d) such cruelty or harassment should be for or in connection with demand of dowry (e) to such cruelty or harassment the deceased should have been subjected to soon before her death. When the above ingredients are fulfilled, the husband or his relative, who subjected her to such cruelty or harassment over dowry demand can be presumed to be guilty of offence under Section 304-B I.P.C. While as per Section 113-B of the Evidence Act, when the question is whether a person has committed dowry death of a woman and it is shown that soon before her death such woman had been subjected by such person to cruelty or harassment for, or in connection with, any demand for dowry, the Court shall presume that such person had caused dowry death. A conjoint reading of Section 113-B of the Evidence Act and Section 304-B I.P.C. shows that there must be material to show that soon before her death the victim was subjected to cruelty or harassment over dowry demand. Presumption under Section 113-B would be operative only if it



shown that soon before death the deceased was subjected to cruelty by her husband or any relative for or in connection with demand of dowry.

15. Regarding the aforesaid ingredient that the death of the deceased has occurred within seven years of her marriage. It is the admitted case of the parties that death of deceased (Rani Devi) had occurred within seven years of her marriage. It is also not denied that such death had occurred in the marital house of the deceased.

16. Regarding cause of death of the deceased, it is the case of prosecution that the deceased was eliminated by the accused persons including the appellants over dowry demand while as per defence the deceased had died due to natural death. So far as demand of dowry and tormenting the deceased by the appellants that too soon before her death over the said demand is concerned, the case of the prosecution is that the accused persons used to demand cycle and wrist watch in dowry and torment her on failure to cough up their demand and also used to drove her out of her marital house thrashing her for the same and finally eliminated her over the dowry demand. To substantiate the case of demand of dowry and subjecting the deceased to torture over the said demand and also subjecting her



to torture over the said demand soon before her death by the appellants, the prosecution has examined six witnesses, namely, PW-1, PW-3, PW-4, PW-6, PW-10 and PW-11. From perusal of the testimony of PW-1 Awdhesh Ram, it appears that in his examination-in-chief, he has stated that marriage of Rani Devi was performed with Mithilesh Ram ten years back. She stayed at her marital house happily till 2-4 years after the marriage. Thereafter, her in-laws started demanding money and articles in dowry and on not coughing up their demands, they used to torment her. But from perusal of the aforesaid testimony of the said witness, it appears that against the prosecution case of demand of cycle and wrist watch by the accused persons, he has stated that the accused persons used to demand money and articles in dowry. He has not disclosed the quantum of money demanded by accused persons and nature of the articles allegedly demanded by the appellants. He has also stated that the accused persons used to torment Rani Devi over failure to cough up their demands but he has not stated as to when they had demanded dowry and subjected her to torture over the said demand.

17. PW-3, namely, Dharm Kumar in paragraph 6 of his examination-in-chief has stated that in-laws of the deceased



used to make demand of wrist watch and cycle and on thrashing by them, she used to arrive at her maternal house and divulge the same to her maternal people. She had also divulged him the aforesaid occurrence, but he has also not stated as to when the aforesaid demand was made and she was thrashed over the said demand and she left her marital house due to aforesaid thrashing.

18. PW-4 informant Urmila Devi has stated in paragraph 3 of her examination-in-chief that she had not accorded cycle at the time of marriage. In-laws of Rani used to demand cycle and they had committed the occurrence over the said demand. They oftenly used to drove her out of her marital house thrashing her over the demand of cycle, but the said witness has also not stated as to when the aforesaid demand was made and the deceased was thrashed and driven out of her marital house by the accused persons over the aforesaid demand of dowry.

19. PW-6, Nandu Ram though has stated in paragraph 3 of his examination-in-chief that the appellants and other accused persons used to demand cycle, wrist watch and ring in dowry but as the informant failed to cough up their demands due to scarcity of money, they eliminated the deceased



over the said demand. He had sent Rani Devi to her marital house 3-4 times holding Panchayati, but he has not stated about subjecting the deceased to any sort of torture by the appellants and other accused persons over the said demand. He has also not disclosed the period of making the aforesaid demand by accused persons and sending the deceased to her marital house holding Panchayati. Prosecution has also not examined any punch in substantiation of the aforesaid statement of said witness.

20. From perusal of the testimony of the aforesaid witnesses, it appears that none of the aforesaid witnesses has stated that deceased was subjected to cruelty or torture over the dowry demand by the appellants and other accused persons soon before her death. Though, the appellants and other accused persons allegedly used to demand cycle and wrist watch in dowry and torment the deceased over the said demand and used to drove her out of her marital house thrashing her for the same, but the informant has not made any complaint of the aforesaid demands etc. to the Panchayat or lodged any case against the appellants. In paragraph 27 of her cross-examination, she has candidly stated that she had never informed the police regarding demand of cycle and pestering her over the said demand by the



accused persons and she had also never organized any Panchayati for the same. Though, in quite contradiction to the aforesaid statement of the informant, PW-6 has stated in paragraph 3 of his examination-in-chief that after holding Panchayati 3-4 times they sent Rani Devi to her marital house, but as the informant has denied of holding any Panchayati, the aforesaid statement of PW-6 in quite contradiction to the aforesaid statement of the informant is not worth reliable. Moreover, the prosecution has not examined any punch in substantiation of the aforesaid statement of the said witness. As the deceased was allegedly subjected to torture over the demand of dowry for several years before her death, the informant ought to have lodged the case in the police or in the court or organized any Panchayati for the same, but not taking any step by the informant in this regard creates serious doubt about the prosecution case. Moreover PW-1 Awdhesh Ram has stated in paragraph 3 of his cross-examination that the parents in-law of Rani Devi used to pay visit to her maternal house, he had also seen them in her maternal house on 1-2 occasions 2-4 months back to her death. Said witness has not stated that parents in-law of Rani Devi used to make demand of dowry arriving at her maternal house. Hence, the aforesaid statement of the said



witness goes to suggest that the relation between the parties was cordial before death of the deceased and the appellants used to pay visit to her maternal house off and on.

21. Moreso, PW-10 Akhilesh Ram has stated in paragraphs 9, 10, 11 and 12 of his cross-examination that there was a partition between the husband of Rani Devi, namely, Vimlesh and his parents and Rani Devi used to reside with her husband. Dhuri Ram and his wife (appellants) never used to make any demand of dowry from Rani Devi and her family members and they never used to thrash her. Rani Devi has died due to some ailment and information of her death was given to her mother, whereupon her mother namely, Urmila Devi and her villagers had taken part in the cremation, but during the course of cremation, Urmila Devi engaged in some brawl with the appellants and has filed the false case due to the aforesaid reason. PW-11 Lallan Singh has stated in paragraph 1 of his examination-in-chief that wife of the Vimlesh Ram was sick and she was under going treatment. During the course of treatment she has died. Her parents in-law used to accord her medical aid. In paragraph 3 of his cross-examination, he has further stated that Vimlesh and his wife used to live separate from Dhuri Ram and his wife. No demand of dowry was ever made from the wife



of Vimlesh Ram or her maternal people. The aforesaid two witnesses happen to be witnesses of the prosecution itself and they appears to have smashed the entire prosecution case by candidly stating that the appellants and other accused persons never demanded any dowry either from the deceased or her maternal people or subjected her to any torture over the said demand. There was a partition between the husband of the deceased and the appellants and deceased used to live with her husband separately from her parents-in law. She was suffering from some ailment and was undergoing treatment for the same and had died during the course of her treatment. Appellants used to accord medical aid to her. Information of death of deceased was given to the informant and informant along with her villagers had participated in the cremation of the deceased. But, there was some brawl between the informant and appellants and informant has filed this false case. In view of the aforesaid testimony of the prosecution witnesses, I find that the prosecution has utterly and miserably failed to substantiate the case of prosecution that the appellants and other accused persons used to make dowry demand of cycle and wrist watch from the deceased or her maternal people and subjected her to torture over the said demand and that too soon before her death



by adducing consistent, trustworthy and reliable evidence.

22. As per prosecution case, the accused persons were cremating the dead body of the deceased without giving any information to the informant and made good their escape from burning place on arrival of her villagers. To substantiate the aforesaid case, the prosecution has examined altogether six witnesses, namely, PWs 1, 2, 3, 4, 5 and 6, but from perusal of the testimony of the aforesaid witnesses, it appears that the prosecution has utterly and miserably failed to substantiate the aforesaid prosecution case. As as per the prosecution case as adumbrated in the *fardbeyan*, the informant got information of cremating the dead body of the deceased by accused persons during the course of regression to her marital house from the maternal house. On the said information when she arrived at burning place, she found the half burnt dead body of her daughter and villagers there. The informant PW-4 has also stated in paragraph 19 of her cross-examination that she arrived at the burning ghat at 3:00 PM and found 5-6 villagers there, namely, Ganga Bishun, Dharm Veer, Krisna Ram, Rajesh Ram and Rama Ram, and Akhilesh Ram and Alakh Ram of village Mattgaon. Besides them, around 100 villagers of adjoining villages were also present there. She has not stated about



presence of the appellants at the burning ghat on her arrival. Though, PWs 3, 5 and 6 have stated that when they arrived at the burning ghat, they witnessed the accused persons there, who made good their escape on their arrival, but PW-3 Dharm Kumar has stated in paragraph 9 of his cross-examination that he was the first person, who arrived at the burning ghat and after his arrival there, his 100 villagers had arrived there, but he has not stated about presence of the accused persons there at the time of his arrival. The aforesaid testimony of PW-3 indicates that the said witness had arrived at the aforesaid place first of all and after his arrival other villagers had arrived there and he has not stated about finding the appellants at the aforesaid place on his arrival, which also rules out witnessing of the appellants at the burning place at the aforesaid time by other witnesses as per the aforesaid account of PW-3, the aforesaid witnesses had arrived there later to him. Though, PW-2 Krishna Kumar has stated in paragraph 1 of his examination-in-chief that when he arrived at the burning ghat, he witnessed half burnt dead body of Rani Devi there and Dharmram divulged him that the accused persons including the appellants were torching her dead body. But, the aforesaid Dharm Kumar examined in the case as PW-3 has not corroborated the factum of divulgence of the aforesaid



occurrence to PW-2. Hence, the aforesaid statement of PW-2 is not admissible in evidence for want of any corroboration. The informant has stated in paragraph 1 of her examination-in-chief that when she arrived at the burning ghat, she found Ganga Bishun, Dharmveer, Nandu Ram, Akhilesh Ram, Rajesh Ram, present there and in paragraph 2 of her examination-in-chief she has stated that on quizzing Ganga Bishun, he divulged that Vimlesh Ram, Akhilesh Ram, Muni Ram, Bachhwa, Malti Devi and Dhuri Ram along with others were burning the dead body of her daughter after eliminating her on Wednesday. On their arrival, they made good their escape. Said Ganga Bishun has not come forward to corroborate the factum of divulgence of the aforesaid occurrence to the informant, while the other witnesses have not corroborated the aforesaid aspects of the case. Thus, the aforesaid statement of the informant for want of corroboration is not admissible in evidence. Moreover, PW-10 has stated in paragraph 11 and 12 of his cross-examination that mother of Rani Devi was informed about death of Rani Devi, due to ailment and she and her villagers had taken part in the cremation. In view of the aforesaid testimony of the said witnesses, it appears that the prosecution has utterly and miserably failed to substantiate the death of the deceased in



otherwise than under normal circumstances in her marital house and cremating of dead body of the deceased clandestinely by the appellants without informing the informant.

23. From perusal of record, it appears that the FIR has been lodged on the basis of the *fardbeyan* of Urmila Devi recorded on 29.06.2000 at 9:15 AM at cremation place of village Bulla Bigha. But, PW-1 Awdhesh Ram has stated in paragraph 5 of his cross-examination that the S.I. had recorded statement of Ganga Bishun first of all and after recorded his statement, he read it over and then Ganga Bishun put his signature on his statement and thereafter statement of the mother of Rani Devi and others were recorded. PW-2 Krisna Kumar in paragraph 4 of his cross-examination has stated that after arriving at burning ghat, he sent Ganga Bishun and Rajesh Ram at the Police Station at 3-3:30 PM. They did not regress on the said day rather on following morning and stayed in the Police Station whole night and regressed from the aforesaid place on the following morning along with S.I. PW-3 Dharm Kumar has stated in paragraph 10 of his cross-examination that he himself had not rushed to the Police Station to inform the occurrence rather his father (Ganga Bishun Ram) had rushed to the Police Station to inform the occurrence, who regressed at the



aforesaid place on the following morning i.e. on 29.06.2000 at around 09:00 AM alongwith S.I. The informant PW-4 Urmila Devi has also stated in paragraph 21 of her cross-examination that first of all, Ganga Bishun had given statement to the Police. The S.I. recorded his statement and then he put his signature on the same and thereafter she gave her statement. The aforesaid statement of the said witnesses cummulatively goes to suggest that statement of Ganga Bishun Ram was recorded by S.I. earlier to that of the informant. Hence, the said statement must be the First Information Report, but the said statement has not been brought on record by the prosecution which creates serious doubt about the prosecution case.

24. From perusal of the aforesaid evidence of the prosecution, I find that the prosecution has utterly and miserably failed to substantiate that there was any dowry demand by the appellants and the deceased was subjected to cruelty over the said demand and that too soon before her death by the appellants by adducing consistent, trustworthy and reliable evidence and moreover as discussed by me hereinabove, the deceased has died in her marital house due to her ailment and not otherwise than under normal circumstances. Hence, burden does not stand shifted on the shoulder of the appellants to prove



that they have not caused dowry death of the deceased.

25. Hon'ble Apex court in *Major Singh & Another Vs. State of Punjab reported in (2015) 5 Supreme Court Cases 201* has been pleased to rule that when there is no evidence as to demand of dowry or cruelty and that deceased was subjected to dowry harassment "soon before her death" by the appellant-accused parents-in-law conduct of father and brother of deceased, not natural, the conviction of the appellant under Section 304-B cannot be sustained and is liable to be set aside. It has further been pleased to rule that to attract conviction under Section 304-B I.P.C. prosecution should adduce evidence to show that "soon before her death", the victim was subjected to cruelty or harassment. There must always be a proximate and live link between effects of cruelty based on dowry demand and death concerned.

26. Hon'ble Apex Court in *Bajinath & Ors. Vs. State of Madhya Pradesh (2017) 1 Supreme Court Case 101* has been pleased to rule that mere factum of unnatural death in matrimonial home within seven years of marriage not sufficient to convict accused under Sections 304-B and 498-A I.P.C. Only when prosecution proves beyond doubt that deceased was subjected to cruelty/harassment in connection with dowry



demand soon before her death, presumption under Section 113-B can be invoked. Section 113-B of the Act enjoins a statutory presumption as to dowry death. Noticeably this presumption as well is founded on the proof of cruelty or harassment of the woman dead for or in connection with any demand for dowry by the person charged with the offence. The presumption as to dowry death thus would get activated only upon the proof of the fact that the deceased lady had been subjected to cruelty or harassment for or in connection with any demand for dowry by the accused and that too in the reasonable contiguity of death. A conjoint reading of these three provisions, thus predicates the burden of the prosecution to unassailably substantiate the ingredients of the two offences by direct and convincing evidence so as to avail the presumption engrafted in Section 113-B of the Act against the accused. Proof of cruelty or harassment by the husband or her relative or the person charged is thus the sine qua non to inspire the statutory presumption, to draw the person charged within the coils thereof. If the prosecution fails to demonstrate by cogent, coherent and persuasive evidence to prove such fact, the person accused of either of the abovereferred offences cannot be held guilty by taking refuge only of the presumption to cover up the



shortfall in proof.

27. In the aforesaid facts and circumstances of the case, I find and hold that the prosecution has utterly and miserably failed to bring home the charges levelled against the appellants beyond all reasonable doubts by adducing convincing, cogent, consistent and worth credence ocular and documentary evidence. Hence, the impugned judgment and order of conviction and sentence passed by learned trial court is set aside and the appellants are acquitted of all the charges levelled against them. As the appellants are on bail, they are discharged from the liability of their bail bonds. Accordingly, this Criminal Appeal is allowed.

(Prakash Chandra Jaiswal, J)

rohit/-

AFR/NAFR	AFR
CAV DATE	N.A.
Uploading Date	01-10-2018
Transmission Date	01-10-2018

