

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.320 of 2018

Arising Out of PS. Case No.-16 Year-2016 Thana- SAHKUND District- Bhagalpur

Jhula Devi @ Juli Devi, W/o Sri Dayanand Singh, R/o Village- Mahgama,
P.S.- Rajoun, District- Banka.

... .. Appellant

Versus

1. The State of Bihar.
2. Amresh Sharma S/o Hardeo Sharma, R/o Village- Kalapur, P.S.- Kajraili, District- Bhagalpur.
3. Dabloo Singh @ Sonu Singh S/o Bhopal Prasad Singh, R/o Village- Malmala, P.S.- Sajour, District- Bhagalpur.
4. Gunjesh Singh @ Gunjan Singh S/o Brahmdeo Mahto, R/o Village- Karharia, P.S.- Sajour, District- Bhagalpur.

... .. Respondents

Appearance :

For the Appellant	:	Mr. Rajendra Narayan, Sr. Advocate
For the Respondent/s	:	Mr. Mayanand Jha, APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
and
HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

4 01-05-2018 Heard learned counsel for the appellant as well as
learned Addl. Public Prosecutor for the State.

The appellant, being the informant of Shahkund P.S. Case No. 16 of 2016, preferred this criminal appeal against the Judgment of acquittal dated 03.02.2018 passed by Addl. District and Sessions Judge-VII, Bhagalpur in Sessions Trial No. 489 of 2016 + 623 of 2016, Trial No. 197 of 2017 by which and whereunder, he acquitted the respondent Nos. 2, 3 and 4 of the charges framed against them for the offence punishable under



Section 302, 201 and 120 of the I.P.C.

It would appear from perusal of the impugned Judgment that the prosecution case was based on the theory of last seen and in course of trial, some mobile call details were produced, but learned trial Court came to conclusion that the prosecution could not succeed to prove the charges levelled against the respondent Nos. 2, 3 and 4.

We went through the impugned Judgment and we find that the learned trial Court has passed a well discussed Judgment and there is no scope to interfere into the impugned Judgment. Accordingly, this appeal stands dismissed on admission stage itself. Similarly, I.A. No. 1085 of 2018 stands disposed of.

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

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