

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.975 of 2018

Arising Out of PS. Case No.-152 Year-2006 Thana- BETTIAH CITY District- West
Champaran

{Against the Judgment of acquittal dated 06.06.2018 passed by the learned
Additional Sessions Judge, Fast Track Court-II, Bettiah, West Champaran,
in Sessions Trial No.846 of 2006}.

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Nagendra Sah, son of Sri Kanhai Sah, resident of Mohalla-Kalibag, P.S.
Bettiah Town, District-West Champaran.

... .. Appellant.

Versus

1. The State Of Bihar.
 2. Brij Kishore Prasad, son of Baburam Prasad.
 3. Sarswati Devi, wife of Baburam Prasad.
- Respondent nos.2 and 3 residents of Mohalla-Santghat, P.S. Bettiah Town,
District-West Champaran.

... .. Respondents.

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Appearance :

For the Appellant : Mr. Umesh Chandra Verma, Advocate.
For the State : Mr. Abhimanyu Sharma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
and
**HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL JUDGMENT
**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA)**

Date : 17-09-2018

Heard learned counsel appearing for the appellant as well
as the learned Additional Public Prosecutor for the State on the point
of admission as well as I.A. No.2548 of 2018, which has been filed
under Section 378(3) of the Code of Criminal Procedure for grant of
leave to file this appeal.

2. The appellant happens to be the relative of the deceased
and, therefore, he has right to file this appeal against the Judgment of



acquittal. Accordingly, I.A. No.2548 of 2018 stands allowed.

3. The appellant is aggrieved by the Judgment of acquittal dated 06.06.2018 passed by the learned Additional Sessions Judge, Fast Track Court-II, Bettiah, West Champaran, in Sessions Trial No.846 of 2006, by which and whereunder he acquitted the respondents no.2 and 3.

4. Although, learned counsel appearing for the appellant tried to convince us about the perversity and illegality of the impugned Judgment but we are not, at all, in agreement with the submissions and we find that the learned trial court has discussed the evidences and the Judgment of acquittal is a well versed Judgment. Therefore, we do not find any ground to interfere into the impugned Judgment of acquittal.

5. Accordingly, this appeal stands dismissed on the admission stage itself.

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

Pradeep Srivastava/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.09.2018.
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