

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.69 of 2017

Arising Out of Complaint Case No.-947 Year-1996 District- Gopalganj

=====

Muna Kumar Tiwari S/o Late Dharm Nath Tiwary, R/o Village- Gaushian,
P.S.- Manjhagarh, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Omkar Nath Tiwary S/o Lahiri Shankar Tiwary,
3. Kedar Nath Mishra @ Kedar Nath Tiwary
4. Vijay Kumar Tiwary @ Vijay Kumar Misir Both Sons Late Harideo Mishra,
Respondent No. 2 to 4 are Resident of Village- Gausia, P.S.- Manjhagarh,
District- Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Dhananjay Kumar
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 20-11-2018 Heard Mr. Dhananjay Kumar, learned advocate for

the petitioner (proposed appellant).

The petitioner (proposed appellant) seeks grant of

leave for preferring an appeal against the judgement and

order of acquittal dated 30.08.2017 passed by learned 4th

Additional Chief Judicial Magistrate, Gopalganj in Trial No.

1076 of 2017, arising out of Complaint Case No. 947 of

1996.

The trial court has found out that after the framing

of charge, the petitioner never presented himself for being



cross-examined. The allegation with respect to forging a document for the purposes of staking claim over the plot of land, which was allegedly sold by the opposite party, could not be substantiated because no document was offered by the petitioner.

Considering the aforesaid facts as also taking into account the judgement passed in Title Suit No. 119 of 1982, a finding of acquittal was recorded by the learned trial court.

No interference is required with the aforesaid judgement. Leave is declined.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

