

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.1510 of 2017

Arising Out of PS.Case No. -109 Year- 2015 Thana -BAHERI District- DARBHANGA

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Upendra Yadav son of Ayodhya Yadav

.... Appellant/s

Versus

State of Bihar & Anr

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Birendra Kumar Singh

For the Respondent/s : Mr. Ashwani Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

4 30-04-2018 1. Heard learned counsel for the appellant as well as learned Addl. Public Prosecutor for the State.

2. From perusal of the impugned judgment, we find that the prosecution case was based on circumstantial evidences but in course of trial, prosecution failed to prove the circumstantial evidences which suggest and point out finger towards guilt of respondent no.2.

3. Therefore, we do not find any ground to interfere into the impugned judgment of acquittal dated 31.10.2017 passed by the Addl. Sessions Judge V, Darbhanga in Sessions trial no. 232/2015. Accordingly, this criminal appeal and I.A. no. 210/2018 which has been filed on behalf of the appellant



under section 378(3) of the Cr.P.C for grant of leave stand
dismissed.

(Hemant Kumar Srivastava, J)

Shahid/-

(Rajendra Kumar Mishra, J)

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