

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.432 of 2018

Arising Out of PS.Case No. -143 Year- 2011 Thana -BRAHMPUR District- BUXAR

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Amit Kumar @ Amit Singh

.... Appellant/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha

For the Respondent/s : Mr. Sri Zeyaul Hoda

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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)

7 03-07-2018

Heard learned counsel for the appellant as well as

learned Additional Public Prosecutor for the State on the point of Admission along with I.A.No. 1168 of 2018 which has been filed under section 5 of the Limitation Act for condonation of delay of 9 days and IA No. 1167 of 2018 which has been filed under section 378(3) of Cr. P. C.

This appeal has been preferred against the impugned judgment dated 22.06.2017 passed by learned Fast Track Court No. 1, Buxar in Sessions Trial No. 195 of 2012 by which and whereunder, he acquitted the respondents nos. 2 to 5 of the offence punishable under section 307 of the Indian Penal Code whereas convicted them for the offence punishable under section 323 of the



Indian Penal Code and released them after due admonition.

Learned counsel appearing for appellant submits that there was sufficient material before the trial court to convict the respondent nos. 2 to 5 for the offence punishable under section 307 of the Indian Penal Code as the injuries were found on the vital part of body of the injured person and the aforesaid fact clearly goes to show that respondents nos. 2 to 5 had intention to kill the injured.

Having heard the contentions of learned counsel for appellants as well as learned Additional Public Prosecutor for the State, we went through the impugned judgment. We find that the injured sustained simple injury and the doctor did not find the injuries dangerous to the life and furthermore, we do not find any perversity and illegality in the impugned judgment. Therefore, in our view, this appeal does not have any merit. Accordingly, this Appeal stands dismissed on admission stage itself and I.A.No. 1168 and I.A.No. 1167 of 2018 stand disposed of.

(Hemant Kumar Srivastava, J)

N.K/-

(Rajendra Kumar Mishra, J)

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