

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.578 of 2018

Arising Out of PS. Case No.-116 Year-1996 Thana- BRAHMPURA District- Muzaffarpur

Bina Gupta, W/o Late Dr. Sree Narayan Gupta, Resident of Mohalla- Juran
Chhapra Road No. 4, P.S. Brahampura, District- Muzaffarpur.

... .. Appellant

Versus

1. The State of Bihar.
2. Dr. Sanjeev Gupta, S/o Saryu Prasad Gupta.
3. Suryamukhi Devi, W/o Saryu Prasad Gupta, Resident of Housing colony,
near Samrath Hotel, Bartand, P.S.- Dhanbad Kotwali, District- Dhanbad at
present resident of Apolo Hospital, Bhubneshwar, Orisha.

... .. Respondents

Appearance :

For the Appellant/s : Mr. Sanjay Kumar @ S.K.
For the Respondent/s : Mr. Shashi Bala Verma

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA)**

4 31-07-2018 Heard learned counsel appearing for the appellant as well as learned Addl. Public Prosecutor for the State on the point of admission as well as on I.A. No. 1794 of 2018, which has been filed under Section 378 (3) of the Code of Criminal Procedure.

The appellant challenged the impugned Judgment of acquittal dated 08.01.2018 passed by the learned 7th Addl. Sessions Judge, Muzaffarpur in Sessions Trial No. 205 of 2000, by which and whereunder the learned 7th Addl. Sessions Judge, Muzaffarpur acquitted the respondent Nos. 2 and 3 of the



charges framed against them for the offences punishable under Sections 498(A) and 304(B) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel appearing for the appellant challenged the impugned Judgment of acquittal submitting that in course of trial, the appellant being the mother of deceased supported the prosecution story, but learned trial Court failed to discuss the evidences available on the record in its right perspective, as a result thereof, the learned trial Court came to wrong conclusion, but we are not, at all, in agreement with the submission of the learned counsel for the appellant, because the impugned Judgment goes to show that the learned trial Judge has discussed each and every evidences available on the record and it is obvious from perusal of the impugned Judgment that the trial Court has written well thought and well discussed Judgment, which does not need any interference by this Court. Accordingly, this Criminal Appeal along with I.A. No. 1794 of 2018 stands dismissed on admission stage itself.

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

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