

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (DB) No. 54 of 2018

Arising Out of PS. Case No. -338 Year- 2001 Thana -PHULWARI District- PATNA

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Reeta Devi @ Reeta Kumari, D/o-Birendra Kumar & wife of Shambhu Prasad Sharma, R/o C/o Birendra Kumar, Adarsh Colony, Road No. 1, Gaurichak, P.S. Phulwari, District Patna.

.... Appellant

Versus

1. Ambika Prasad Singh, Son of Late Brij Nandan Singh
2. Uday Prasad Singh, Son of Narayan Prasad Singh
3. Ranjeet Prasad Singh, Son of Ambika Prasad Singh
4. Prabha Devi, wife of Uday Prasad Singh
5. Kusum Devi, Wife of Ambika Prasad Singh
- All R/o- Adarsh Colony, New Brahmapur, PS- Gaurichak, District Patna
6. The State of Bihar

.... Respondents

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Appearance :

For the Appellant/s : Mr. Amit Narayan, Adv.
Smt. Nirmala Kumari, Adv.
For the State : Smt. Abha Singh, 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: 07-03-2018

Heard learned counsel for the appellant as well as learned Additional Public Prosecutor for the State.

The appellant is aggrieved by the impugned judgment of acquittal dated 30.06.2017 passed by learned F.T.C.-I, Patna in Sessions Trial No. 585 of 2003/ Trial No. 245 of 2017 by which and



where under the learned trial Judge acquitted the respondents no. 1 to 5 of the charges framed against them for the offences punishable under Sections 498-A, 494/109, 307 and 506 of the Indian Penal Code.

Learned counsel for the appellant submits that learned trial court acquitted the respondents no. 1 to 5 on flimsy ground and failed to understand the spirit of Section 498-A of the Indian Penal Code. He further submits that appellant was examined as PW-1 and she specifically stated that respondents no. 1 to 5 made attempt to commit her murder but learned court below acquitted the aforesaid respondents of the charge punishable under Section 307 of the Indian Penal Code on the ground of non examination of the doctor. He further submits that learned trial court acquitted the respondents of the charge under Section 498-A of the Indian Penal Code on the ground that cruelty was not meted out to appellant due to property demand.

Having heard the contention of both parties, we went through the impugned judgment of acquittal and find that respondents no. 1 to 5 are in laws of the appellant, whose marriage had taken place in the year 1982 and she remained at her matrimonial home till the year 2001. We further find that learned trial Judge has discussed each and every aspect of the case and passed the judgment of acquittal which does not require any interference by this court.



Accordingly, this criminal appeal stands dismissed on admission stage itself.

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

SHAHZAD/-

AFR/NAFR	NAFR
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