

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (DB) No.303 of 2018

Arising Out of PS.Case No. -129 Year- 2006 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Sobha Devi, Wife of Shri Ramji Pandit, Resident of - Lohiya Nagar, Ward No. 15,
P.S. Town P.S.(Begusarai), District- Begusarai.

.... Appellant/Informant

Versus

1. The State of Bihar
2. Suraj Pandit Son of Sh. Ram Kishun Pandit
3. Ram Kishun Pandit Son of late Kirrar Pandit
4. Rakesh Pandit@ Rajesh Pandit Son of Sh. Lal Bahudhur Pandit Opposite Parties
2 to 4, All Resident of - Jagir Mohalla, Ward No. 5, P.S.- Town P.S.(Begusarai),
District- Begusarai.

.... Respondents/Opposite Parties

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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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: 19-06-2018

Heard learned counsel for the appellant as well as
learned Additional Public Prosecutor for the State on the point of
admission.

The appellant being informant is aggrieved by the
impugned judgment of acquittal dated 12.12.2017 passed by learned
Additional Sessions Judge-VIII, Begusarai in Sessions Trial No. 1013



of 2009 arising out of Town Begusarai P.S. Case No. 129 of 2006.

It would appear from perusal of impugned judgment that learned trial court acquitted the respondents no. 2 to 4 of the charges framed against them for the offences punishable under Sections 341 and 307 of the Indian Penal Code. The learned trial court found contradictions in the statements of witnesses and doubted the injury report.

Learned counsel appearing for the appellant challenged the impugned judgment of acquittal arguing that informant as well as other witnesses supported the prosecution case and furthermore, the learned court below failed to take notice of this fact that injured was admitted in a private clinic on 05.05.2006 and the concerned doctor immediately gave information to concerned police station but police reached at the clinic of said doctor on 08.05.2006 and the ferdbeyan of informant(injured) was recorded at the clinic itself. He submitted that learned trial court passed the impugned judgment of acquittal under impression that ferdbeyan of informant was recorded at police station.

Having heard the aforesaid contentions of learned counsel for the appellant, we went through the record. We find that the learned trial court well discussed the evidences available on the record and doubted the prosecution case. We do not find any perversity or illegality in the impugned judgment of acquittal and in



our view, this appeal is devoid of merit.

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

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

SHAHZAD/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25.06.2018
Transmission Date	25.06.2018

