

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.10 of 2019

Arising Out of PS. Case No.-733 Year-1998 Thana- COMPLAINT CASE District- Araria

ABUNASAR S/o Late Kalimuddin Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.

... .. Appellant.

Versus

1. The State of Bihar.
2. Md. Waris S/o Late Sk. Saidur Rahman Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
3. Md. Sajid S/o Sk. Ziyaur Rahman Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
4. Md. Salim S/o Late Sk. Saidur Rahman Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
5. Md. Mahboob S/o Late Basiruddin Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
6. Nurul Hoda S/o Dost Mohammad Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
7. Md. Faruk S/o Late Yusuf Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.
8. Md. Wahid S/o Late Sk. Wajuddin Resident of Village- Murballa, Ward No. 3, Haria, P.S.- Araria, District- Araria.

... .. Respondents.

Appearance :

For the Appellant	:	Mr. Kamal Kishore Singh, Advocate.
For the State	:	Mr. Syed Ashfaque Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date : 25-07-2019

Heard learned counsel for the appellant and the learned Additional Public Prosecutor for the State.

2. This Special Leave to Appeal has been filed on behalf of the appellant under Section 378(4) of the Code of Criminal Procedure, seeking leave to file appeal against the



Judgment dated 08.01.2019 passed in Sessions Trial No.184 of 2000/C.I.S. No.3492 of 2014, arising out of Complaint Case No.733 of 1998, whereby and whereunder the learned 1st Additional Sessions Judge, Araria, acquitted the respondent nos.2 to 8 of the charges framed against them for the offence under Sections 147, 148, 149, 323, 342, 379 and 364 of the Indian Penal Code.

3. On going through the impugned Judgment, I find that the learned trial court has discussed the evidence, available on the record, and rightly came to the conclusion that the prosecution has miserably failed to prove the charge against the respondent nos.2 to 8 under Sections 147, 148, 149, 323, 342, 379 and 364 of the Indian Penal Code and, accordingly, acquitted the respondent nos.2 to 8 of the charges framed against them under the aforesaid Sections.

4. I find no reason to entertain this Special Leave to Appeal and, accordingly, the same is dismissed.

(Rajendra Kumar Mishra, J)

Pradeep Srivastava/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2019.
Transmission Date	26.07.2019.

