

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.24 of 2019

Arising Out of PS. Case No.-64 Year-2009 Thana- MOTIPUR District- Muzaffarpur

Paspati Devi wife of Late Bhulan Sahni resident of Village and PO- Barji
P.S.-Motipur District-Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramod Sahni son of Prasad Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
3. Rajesh Sahni son of Seeta Ram Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
4. Rajendra Sahni, son of Seeta Ram Sahni.
5. Laxman Sahni son of late Tanti Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
6. Indrajeet Sahni @ Indrajeet Kumar, son of Ramashish Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
7. Ramashish Sahni son of Late Teni Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
8. Jalandhar Sahni, son of Gagandeo Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur
9. Mahesh Sahni son of Vilash Sahni Village- Serha Barzi, P.S.- Motipur, Distt- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Deepak Kumar, Advocate
For the Respondent/s : Mr.Abhimanyu Sharma, APP

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

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

6 01-07-2019 No one appears on behalf of the appellant on repeated calls. Learned counsel for the respondent nos.2 to 9 as well as learned Additional Public Prosecutor for State are present.



On perusal of record, it goes to show that on previous date also, the learned counsel for the appellant failed to appear before this Court. In the aforesaid circumstance, we have no option except to pass appropriate order after hearing the learned counsel of respondent nos.2 to 9 as well as learned Additional Public Prosecutor.

Learned counsel appearing for respondent nos.2 to 9 submits that the learned trial Court has passed well thought and well discussed judgment and there is no need to interfere into the impugned judgment.

The learned Additional Public Prosecutor submits that there is no apparent perversity or illegality in the impugned judgment and therefore there is no need to interfere into the findings given by the learned trial Court.

This appeal has been preferred against the judgment of acquittal dated 05.11.2018 passed by learned 7th Additional Sessions Judge, Muzaffarpur in Sessions Trial No.836 of 2009 by which he acquitted the respondent nos.2 to 9 from the charge framed against them for the offence punishable under Sections 302/34 of the Indian Penal Code. The perusal of impugned judgment goes to show that the trial Court has discussed the prosecution evidence properly and taken each aspect of the



prosecution case and after that trial Court passed the impugned judgment of acquittal. We are in agreement with the submissions advanced on behalf of the respondent nos.2 to 9 as well as on behalf of Additional Public Prosecutor and therefore we do not find any ground to interfere into the impugned judgment of acquittal. Accordingly, this criminal appeal stands dismissed on admission stage.

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

B.Kr./-

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