

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.485 of 2019

Arising Out of PS. Case No.-498 Year-2017 Thana- BAGHA District- West Champaran

Vijay Uraon @ Vijay Raraub @ Vijay Raum, aged about 27 years, Male, S/o Late Shri Uraon, Resident of Village- Madarahani, P.S.- Bhairoganj, District- West Champaran.

... .. Appellant

Versus

1. The State of Bihar
2. Manoj Uraon, Son of Ram Nath Uraon, Resident of Village - Madarahani, P.S.- Bhairoganj, District- West Champaran.

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Prithvi Nath Mishra, Advocate
For the State	:	Mr. Ashwani Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

4 06-08-2019 Heard learned counsel appearing for the appellant as well as learned Additional Public Prosecutor for the State on the point of admission.

In our view, this appeal can be disposed of on admission stage itself.

The appellant is aggrieved by the impugned judgment of acquittal, dated 28.02.2019, passed by 1st Additional Sessions Judge, Bagaha, West Champaran in Sessions Trial No. 92 of 2018, by which and whereunder,



learned trial court acquitted the respondent no. 2 from the charges framed against him for the offences punishable under Sections 302, 120(B) of the Indian Penal Code.

Learned counsel appearing for the appellant submits that the deceased had made his dying declaration before the villagers but the learned trial court did not consider the above stated fact. However, the perusal of the impugned judgment goes to show that not a single prosecution witness claimed before the trial court that the deceased had made his statement naming respondent no. 2 before his death. The perusal of impugned judgment further goes to show that the learned trial court has passed a well discussed judgment. Therefore, we do not find any ground to interfere into the impugned judgment of acquittal.

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

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

Rajeev Kumar/-

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