

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.36 of 2019

Arising Out of PS. Case No.-472 Year-2012 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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JITENDRA KUMAR JHA @ JITENDRA ZA Son of Harikant Jha Resident
of Village - Koriyahi, P.S.- Sursand, Dist.- Sitamarhi.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vijay Jha, Son of Laxmi Narayan Jha Resident of Village - Koriyahi, P.S.-
Sursand, Dist.- Sitamarhi.
3. Pradeep Jha, Son of Dilip Jha @ Thakkan Jha Resident of Village -
Koriyahi, P.S.- Sursand, Dist.- Sitamarhi.
4. Laxmi Narayan Jha, Son of Ishwar jha Resident of Village - Koriyahi, P.S.-
Sursand, Dist.- Sitamarhi.
5. Dilip Jha @ Thakkan Jha, Son of Resident of Village - Koriyahi, P.S.-
Sursand, Dist.- Sitamarhi.
6. Pankaj Jha, Son of Late Vishnukant Jha Resident of Village - Koriyahi, P.S.-
Sursand, Dist.- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Ms. Vijaya Laxmi Srivastava, Advocate Mr. Jagannath Prasad, Advocate Mr. Madhusudan Rai, Advocate
For the Respondent/s	:	Mr. Sujit Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 05-09-2019 Heard the learned counsel appearing on behalf of the

appellant and 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 and order dated 03.05.2019 passed by the Sub-
Divisional Judicial Magistrate, Sitamarhi East (Poopri) in



Compliant Case No. 472 of 2012, Trial No. 570 of 2019,
Whereby and whereunder, he acquitted the respondent Nos. 2 to
6 from the charges under Sections 323, 341 and 504 of the
Indian Penal Code.

3. On perusal of the impugned Judgment, it is
apparent that the learned Sub-Divisional Judicial Magistrate,
Sitamarhi East (Poopri) has well discussed the evidence of sole
witness C.W. 1 Jitendra Kumar Jha, who is the complainant, in
detailed, and rightly arrived at conclusion that prosecution failed
to prove the charges under Sections 323, 341 and 504 of the
Indian Penal Code.

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

(Rajendra Kumar Mishra, J)

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