

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3362 of 2019

Arising Out of PS. Case No.-441 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

-
1. BASHISTH THAKUR Son of Late Bindeshwar Thakur @ Butay Thakur
Resident of Village - Haridaspur, P.S.- Kanti, O.P.- Panapur, District-
Muzaffarpur
 2. Amit Kumar @ Chattu Thakur @ Chattu Son of Bashisth Thakur Resident
of Village - Haridaspur, P.S.- Kanti, O.P.- Panapur, District- Muzaffarpur
- Appellants

Versus

The State of Bihar Respondent

with

CRIMINAL APPEAL (SJ) No. 3424 of 2019

Arising Out of PS. Case No.-441 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

KIRAN DEVI W/o Bashisth Thakur R/o Village- Haridaspur, P.S.- Kanti,
O.P.- Panapur, District- Muzaffarpur Appellant

Versus

The State of Bihar Respondent

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3362 of 2019)

For the Appellant/s : Mr.Yugal Kishore, Advocate

For the Respondent/s : Mr.Usha Kumari 1, Spl. P.P.

(In CRIMINAL APPEAL (SJ) No. 3424 of 2019)

For the Appellant/s : Mr.Yugal Kishore, Advocate

For the Respondent/s : Mr.Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 11-12-2019 Heard learned counsel for the appellants and learned
Spl. P.P.for the State.

The appellants are apprehending their arrest in
connection with Kanti P.S. Case No. 441 of 2019 registered for the
offences punishable under Sections 304/34 of the Indian Penal
Code and Sections 3(2) (v) (a) of SC/ST (Prevention of Atrocities)
Act.

Pursuant to the order dated 20.11.2019 a report at Flag



‘I’ vide letter no. 336 dated 10.12.2019 written by the Senior Superintendent of Police, Muzaffarpur has been received.

On perusal of the report it appears that the Deputy Superintendent of Police, West Muzaffarpur has submitted a supervision report wherein it has come that after the brother of the informant fell down from the Mango tree, the accused Bashisth Thakur and other villagers with the help of family of the deceased were taking him to hospital but on way he died. The supervision note also provides that the accused Bashisth Thakur is not liable for this. It is also provided in the report that the basis of which this case has been reported has not been substantiated from the statement of witnesses and investigation and it appears to be a case of no evidence for the offences alleged under the original provisions in the first information report and police has submitted a final report vide final form no. 555 of 2019 dated 03.12.2019 for lack of evidence, in that view of the matter, this Court finds that the appellants have no apprehension of being arrested.

Taking note of this development, these appeals are being disposed of.

(Rajeev Ranjan Prasad, J)

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