

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.30 of 2017

Arising Out of PS. Case No.-314 Year-1989 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Satya Narayan Singh, son of Late Dhora Singh alias Dhora Mahto, resident of
Mouja- Pali Tola, Ramphal Bigaha, Mohalla- Mohan Bigaha, Police Station-
Dehri, District- Rohtas (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna
3. Rameshwar Singh, Son of Late Raj Kumar Singh, resident of Village- Birai,
Police Station- Daudnagar, District- Aurangabad.
4. Santan Singh, Son of Late Motilal Singh, resident of Village- Torani, Police
Station- Kargahar, District- Rohtas.
6. Satyanarayan Singh, Son of Late Rambriksha Singh, Resident of Village-
Pashchimi Mohan Bigaha, Police Station- Dehri, District- Rohtas.
7. Ramroop Singh, Son of Ramjag Singh, Resident of Village- Thiloi, Police
Station- Bhagwanpur, Rohtas, District- Rohtas.
8. Bachan Singh, son of Ram Lagan Singh, Resident of Village- Shri Rampur,
Police Station- Sasaram, District- Rohtas.
9. Ran Awadhesh Singh, son of Late Ghamandi Singh, resident of Village-
Chehrua, Police Station- Chenari, District- Rohtas.
10. Ramchandrar Singh, Son of Bhikari Singh, Resident of Village- Biran
Bigaha, Police Station- Dehri, District- Rohtas.
11. Satendra Singh, Son of Ramnagina Singh, Resident of Village- Barka Gaon,
Police Station- Bhagwanpur, District- Rohtas.
12. Ramashankar Singh, Son of Dronacharya Singh, Resident of Village-
Bartalba, Police Station- Kudara, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Rajendra Lal Das, Advocate.
For the State	:	Mr. Z. Hoda, A.P.P.
For the Private Respondent	:	Mr. Ravi Shankar Sahay, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL JUDGMENT

Date : 19-09-2019



Heard learned counsel for the appellant, learned counsel for the private opposite parties and the learned counsel for the State.

2. This application, under Section 378(4) of the Code of Criminal Procedure, has been filed by the appellant, Satya Narayan Singh, son of late Dhora Singh @ Dhora Mahto (Complainant), seeking leave to appeal against the Judgment dated 20.01.2017 passed in Complaint Case No. 314 of 1989/ Trial No. 187 of 2017, whereby and whereunder, the court of Sri Kavindra Kumar, Judicial Magistrate Ist Class, Dehri-on-Sone, Rohtas at Sasaram, acquitted to Rameshwar Singh (opposite party no. 3), Santan Singh (opposite party no.4), Satyanarayan Singh (opposite party no.6), Ramroop Singh (opposite party no.7), Bachan Singh (opposite party no. 8), Ram Awadhesh Singh (opposite party no.9), Ramchandra Singh (opposite party no. 10), Satendra Singh (opposite party no.11) and Ramshankar Singh (opposite party no. 12) to the charges for the offence under Sections 419, 423, 468, 471 and 120(B) of the Indian Penal Code.

3. It appears that let Dhora Singh @ Dhora Mahto, father of the appellant, filed Complaint Case No. 314 of 1989 against the opposite party nos. 2, 4, 6, 7, 8, 9, 10, 11 and 12 along with deceased Rajendra Singh, Ramchandra Singh, Indradeo



Singh, Ramjanam Singh and Prayag Narayan under Sections 419, 423, 468, 471 and 120(B) of the Indian Penal Code with contention that under conspiracy they got executed the land of his brother, late Bhagwat Kunwar, showing his fake daughter as Sahti Kunwar on 01.07.1987 in favour of late Rajendra Singh.

4. After framing of the charges, Hari Singh, Suran Prasad Singh, Bhuvneshwar Singh, Dhoda Mahto, Devi Lal Singh and Siyad Irtayaj Hussain have been examined respectively, as C.Ws. 1, 2, 3, 4, 5 and 6 whereas Sjamtam Singh has been examined as D.W.1 on the point that Sahti Kunwar was the daughter of Bhagwat Mahto, whose marriage was performed and thereafter she died.

5. After discussing the evidences available on the record, the learned trial court arrived at conclusion that prosecution has not been able to prove the case beyond all shadow of reasonable doubts and, accordingly, he acquitted the opposite party nos. 2, 4, 6, 7, 8, 9, 10, 11 and 12 for the charges of offence under Sections 419, 423, 468, 471 and 120(B) of the Indian Penal Code. The impugned Judgment also indicates that late late Dhora Singh @ Dhora Mahto, after filing present complaint petition, also filed Title Suit No. 76 of 1989, which is pending for disposal.



6. On going through the Judgment dated 20.01.2017 passed in Complaint Case No. 314 of 1989/ Trial No. 187 of 2017, I find no illegality and infirmity to entertain the present S.L.A. and, accordingly, this S.L.A. stands dismissed.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.09.2019
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