

IN THE HIGH COURT OF JUDICATURE AT PATNA
S.L.A No. 26 of 2018

Arising Out of PS. Case No.-372 Year-2002 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ram Dirik Mandal, son of late Shati Mandal @ Satai Mandal, Resident of
village-Ballipur, P.S. Hathauri, District-Samastipur.

... .. Appellant/s

Versus

1. The State Of Bihar,
2. Santosh Kumar, son of Anil Kumar Mandal,
3. Manoj Mandal, son of Bideshi Mandal,
4. Raushan Kumar Mandal @ Raushan Kumar, son of Ram Lakhan Mandal,
5. Anil Kumar Mandal @ Mohan Mandal, son of Jagdish Mandal, All resident
of village-Ballipur, P.S. Hathauri, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ghanshyam Choudhary
For the Respondent/s : Mr.Shashi Bala Verma

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

ORAL JUDGMENT

Date : 11-07-2019

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 dated 20.12.2017 passed by the Addl. District and
Sessions Judge, Rosera, Samastipur in Sessions Trial No. 591 of
2015, Whereby and whereunder, he acquitted the respondent
Nos. 2 to 5 from the charges under Sections 302/34, 302, 120B



and 201/34 of the Indian Penal Code.

3. On perusal of the impugned Judgment, it is apparent that the learned Additional District and Sessions Judge, Rosera, Samastipur has discussed the evidence in detail and arrived at a conclusion that there is no eye-witness of the occurrence. Moreover, regarding the occurrence dated 30.12.2001, the complaint petition was filed on 04.06.2002 without any explanation and the circumstances indicating against the murder of Niranjan due to love affairs with Kavita Kumari and love letter was also found, but the said love letter was not produced during the trial while it is also lodged in the complaint petition that accused Raushan Kumar Mandal (Respondent No.4) confessed his guilt regarding committing the murder of Niranjan, but no evidence was brought on record against whom he confessed his guilt.

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

(Rajendra Kumar Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	N.A
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