

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.50 of 2018

Arising Out of PS. Case No.-100 Year-2005 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

Govind Sharma S/o Late Avdhesh Sharma, R/o Vill.- Itwan, P.S.- Rampur
Chauram, District- Arwal.

... .. Appellant/s

Versus

1. The State Of Bihar.
2. Ram Nandan Sharma S/o Late Dharm Narayan Sharma.
3. Lakshman Sharma @ Appu.
4. Shiyaram Sharma @ Arun.
5. Ashmit Sharma.

All three Sons of Ram Nandan Sharma.

All are Residents of Vill.- Itwan, P.S.- Rampur Chauram, District- Arwal.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dr. Kamal Deo Sharma
For the Respondent/s : Smt. Abha Singh

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

ORAL JUDGMENT

Date : 18-07-2019

Heard learned counsel for the appellant and the learned
Additional Public Prosecutor for the State on I.A. No.1 of 2019 as
well as on the point of admission of this Special Leave to Appeal.

2. I.A. No.1 of 2019 has been filed on behalf of the
appellant under Section 5 of the Limitation Act to condone the delay
of 64 days in filing the present Special Leave to Appeal.

On the grounds mentioned in the aforesaid I.A. No.1 of
2019, the delay in filing the present Special Leave to Appeal is,
hereby, condoned and, accordingly, I.A. No.1 of 2019 stands
disposed of.

3. 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 25.04.2018 passed in Complaint Case No.100 of 2005/Trial No.553 of 2018, whereby and whereunder the learned Additional Chief Judicial Magistrate-IV, Arwal, acquitted the respondent nos.2 to 5 of the charges framed against them for the offence punishable under Sections 325 and 379 of the Indian Penal Code.

4. From Perusal of the impugned Judgment and Order, it is apparent that the learned Additional Chief Judicial Magistrate-IV, Arwal, on considering the evidence, available on the record, rightly came to the conclusion that the prosecution has miserably failed to prove the charges against the respondent nos.2 to 5 under Sections 325 and 379 of the Indian Penal Code and, accordingly, acquitted the respondent nos.2 to 5 from the charges under Sections 325 and 379 of the Indian Penal Code.

5. I find no merit in the present Special Leave to Appeal and, accordingly, the same is dismissed.

(Rajendra Kumar Mishra, J)

Pradeep Srivastava/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.07.2019.
Transmission Date	19.07.2019.

