

Arising Out of PS. Case No.-46 Year-2012 Thana- CHARPOKHARI District- Bhojpur

... .. Appellant/s

## Versus

- ... Respondent/s

**Appearance :**

|                   |   |                                |
|-------------------|---|--------------------------------|
| For the Appellant | : | Mr. Tej Pratap Singh, Advocate |
| For the State     | : | Ms. Shashi Bala Verma, A.P.P.  |

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

2. The appeal has been filed against the judgment of acquittal dated 23.05.2019 passed by the learned IIIrd Addl. Sessions Judge, Bhojpur, Arrah in S. Trial No. 411/2012, arising out of Charpokhari P.S. Case No. 46/2012 by which respondents



no. 2 to 5 have been acquitted of the charges framed against them.

3. Learned counsel for the appellant submits that he was the informant and the incident has resulted in the death of one person and three persons were injured including the informant. Learned counsel submitted that during trial, witnesses have supported the prosecution story and there was brutal attack on the deceased leading to his death as also there being specific allegation of assault on the victims by the accused, this, erroneously, they have been acquitted.

4. Learned A.P.P. submitted that the judgment is well discussed and the allegations made are not corroborated by the medical reports and the postmortem report.

5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties and taking into consideration, the postmortem report in which not even one injury has been found on the body of the deceased and death is said to have been caused due to intracranial hemorrhage and also there being minor simple injuries on three persons, including the informant and the fact that the respondents no. 2 to 5 have faced trial for seven years, the Court does not find any occasion to interfere.



6. For reasons aforesaid, the appeal stands dismissed.

**(Ahsanuddin Amanullah, J)**

**( Purnendu Singh, J)**

Ranjeet/-

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