

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.974 of 2024

Arising Out of PS. Case No.-68 Year-2009 Thana- CHHAURADANO District- East
Champaran

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Maimoon Nesha @ Maimum Nesha, wife of Late Shekh Sataar @ Late Shekh Sattatar, Resident of Village- Duho Suho P.S.- Chhauradano, Dist- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramod Prasad Srivastava, son of Late Rajnarayan Prasad, Resident of Village- Diho Suho Ps- Chhauradano Dist- East Champaran
3. Dheeraj Kumar Srivastava @ Lal Saheb, son of Jwala Prasad Srivastava, Resident of Village- Diho Suho Ps- Chhauradano Dist- East Champaran
4. Ojaira Khatoon @ Khairon Nesha, wife of Israil Mian, Resident of Village- Diho Suho Ps- Chhauradano Dist- East Champaran

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sunil Kumar No.III, Advocate Mr. Raki Alam, Advocate
For the State	:	Mr.Bipin Kumar, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

12 30-03-2026 Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.

2. This is an appeal against acquittal of the respondent nos. 2 to 4 vide judgment dated 01.03.2024 (hereinafter referred to as the ‘impugned judgment’) passed by the learned 1st Additional Sessions Judge, East Champaran, Motihari (hereinafter referred to as the ‘trial court’) in S. Tr. Case No.898 of 2013 arising out of Chhauradano P.S. Case No.68 of 2009.



3. After having placed the deposition of the victim (PW-1), learned counsel for the appellant submits that the evidence of PW-1 may perhaps be not taken as an evidence of a sterling witness. There is no other evidence on the record and the reason for lodging of the present case against the respondent nos.2 to 4 is also evident from paragraphs 39, 40, 41, 55, 69 and 70 of the deposition of PW-1. In his own submission, learned counsel for the appellant, therefore, submits that he may be allowed to withdraw the appeal unconditionally.

4. Learned Additional Public Prosecutor for the State has no objection to the same.

5. In the kind of submissions made before this Court, the appeal is dismissed as withdrawn.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

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