

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.1252 of 2025**

Arising Out of PS. Case No.-9 Year-2023 Thana- CHAKAI District- Jamui

Md. Maksud Son of Md Majhar Village- Bajrahi, P.S.- Sono, Dist. -Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Md. Mumtaz Son of Ajamul Mian Resident of village - Nawadih, Ps-chakan, Dist- Jamui
3. Hasina Khattoon Wife of Md. Mumtaz Resident of village - Nawadih, Ps-chakan, Dist- Jamui
4. Rukhsar Khattoon @ Ruksana Khatoon Wife of Md. Aman Resident of village - Ishlam Nagar, Ps and Dist- Jamui

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Bal Mukund Prasad Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI)

3 16-01-2026 The learned Advocates on behalf of the parties are present.

2. In view of the proviso under Section 372 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), no appeal shall lie for enhancement of sentence at the instance of the defect of the complainant. Therefore, the instant appeal is not maintainable.



3. Accordingly, the present Cr. Appeal (DB) No. 1252 of 2025 is hereby dismissed, in connection with Sessions Trial No. 184 of 2024 arising out of Chakai P.S. Case No. 9 of 2023.

(Bibek Chaudhuri, J)

(Dr. Anshuman, J)

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