

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 2296/2000  
(From the judgement and order dated 24/03/2000 in CRLA 151/87  
of The HIGH COURT OF PATNA)

RAMESH CHANDRA SINHA

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

( With Office Report )

Date : 24/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK  
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. P.S. Mishra, Sr. Adv.  
Mr. S.C. Shekhar, Mr. S. Reddy, Mr. V. Sharma and  
Mr. Upendra Mishra, Adv. for  
Mr. A. Sharan, Adv.

For Respondent (s) Mr. B.B. Singh, Adv.  
Ms. Sunita R. Singh, Adv.

UPON hearing counsel the Court made the following  
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This SLP is directed against the judgment of the Patna High Court in Criminal Appeal convicting the accused appellant under section 302/34 IPC. The learned Sessions Judge relying upon the evidence of PWs. 1, 3 and 4 who are eye witnesses, convicted the appellant. The High Court in appeal re-appreciated the same and confirmed the conviction and sentence. Though, ordinarily this Court does not re-appreciate the evidence, more so, at this stage of question of grant of leave, since the evidence of these three witnesses PWs. 1, 3 and 4 had been produced before us, we

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have carefully scrutinised the same. The evidence is consistent to the effect that it was the accused appellant, who came to the scene of occurrence with unknown person and then asked the deceased as to why he has assaulted his son whereafter when the unknown person told some thing to the deceased it is the accused appellant, who told the said unknown person that he is so and so and shoot him whereupon the said unknown took his pistol and shoot him. Mr. Mishra, the learned senior counsel appearing for the appellant raised

several contentions and cited several decisions of this Court and having examined the contentions raised as well as the decisions cited, we do not find any force in any of the submissions, which requires a consideration by this Court by grant of leave. The impugned judgment of the High Court fully discusses the materials on record and affirms the conviction and sentence recorded by the learned Sessions Judge. In the circumstances, this SLP is dismissed.

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(Y.P.Dhamija)

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