

Ram Sunder Yadav and Others

Vs

State of Bihar

Criminal Appeals Nos. 1608-1609 of 1995

(M. K. Mukherjee, D. P. Wadhwa JJ)

30.07.1998

ORDER

One of the questions which requires our answer in these appeals is whether the prosecution is obliged to explain the injuries sustained by the accused in the same occurrence and whether failure of the prosecution to so explain would mean that the prosecution has suppressed the truth and also the origin and genesis of the occurrence. Since this Court has taken divergent views on these points, as would appear from the cases referred to in the judgment of this Court in Hare Krishna Singh v. State of Bihar ((1988) 2 SCC 95 : 1988 SCC (Cri) 279) besides others, we feel that the point should be settled by a larger Bench. Let these papers be placed before the learned Chief Justice for necessary orders.

Court Masters