

(2011) 09 PAT CK 0054

In the Patna High Court

Case No : Criminal Appeal (U/S) No. 22 of 1998

Abhijit Kumar

APPELLANT

Vs

The State of Bihar and Dinesh Kumar

RESPONDENT

Date of Decision : 29-09-2011

Acts Referred:

Minimum Wages Act, 1948 — Section 22A

Citation : (2011) 09 PAT CK 0054

Hon'ble Judges : Gopal Prasad, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Gopal Prasad, J.—Heard.

2. This appeal is directed against the order of acquittal dated 07.10.1996 passed by Shri Arunendra Singh, Judicial Magistrate - Ist Class, Patna in Complaint Case No. 14(M) 95 / Tr. No. 348 of 1996 for the offence u/s 22-A of the Minimum Wages Act, 1948.

3. The case proceeded on the complaint of the Labour Enforcement Officer (Central), Patna for the offence u/s 22-A of the Minimum Wages Act. On the appearance of the accused, the contents of charge read over and explained. However, one witness examined in this case who is the complainant and witness examined on behalf of the defence as D.W. 1 and D.W. 2.

4. The trial court acquitted the Respondent as the prosecution has not produced any material to support the prosecution case and the defence has adduced evidence that no work as alleged was ever allotted to him.

5. From perusal of the records itself, it appears that it is a case of no evidence as no one appears before the court to say that minimum wage was given to him and the accused has not given minimum wage. Hence, I do not find any merit to interfere with the order of acquittal recorded by the learned lower court. This

criminal appeal is hereby dismissed.