

Kobbat Ali Vs. Emperor

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SooperKanoon Citation : sooperkanoon.com/866255

Court : Kolkata

Decided On : May-18-1916

Reported in : 40Ind.Cas.698

Judge : Chitty and ;Walmsley, JJ.

Appellant : Kobbat Ali

Respondent : Emperor

Judgement :

1. In this case the learned Additional District Magistrate in giving his judgment said that the evidence for the prosecution was, on the whole, slightly stronger and that the story, as regards probability, was far more likely. This is not sufficient for a conviction in a criminal case and we think that unless he could come to some more definite opinion he ought to have acquitted the accused. We accordingly set aside his order and direct that the appeal be re-heard. The petitioner will remain on the same bail pending the re-hearing of the appeal.