

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.25 of 2003

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

Shiv Shankar Prasad Vishwakarma son of late Shiv Narayan Vishwakarma resident of mohalla Dalluchak Khagaul P.S. Khagaul District Patna.

.... Petitioner/s

Versus

State of Bihar

.... Opp. Parties.

Appearance :

For the Petitioner/s : Mr.
Mr. Anjana Bhagat

For the Respondent/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

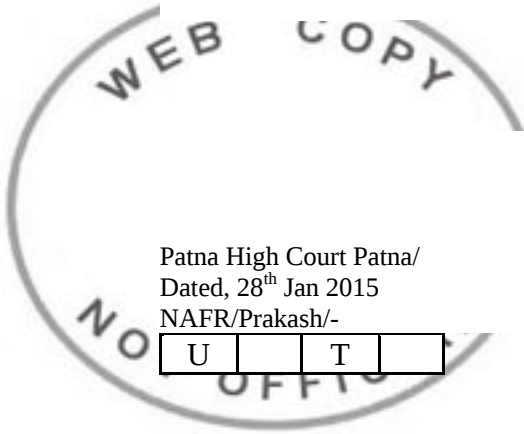
Date: 28-01-2015

The revisionist is aggrieved by the judgment dated 30.05.1996 passed by the Railway Judicial Magistrate, 1st Class, Patna in RPF Post Danapur Case No. 3(5) 1992, Tr. No. 456 of 1996 under Sections 3A of the RP (U.P.) Act and sentenced to R.I. for one year which conviction was upheld by the Appellate Court of Sessions in Appeal No. 139 of 1996 by judgment dated 24.09.2002.

The case of the prosecution is that on 22.05.1992 while the informant was returning with other staffs and he reached near the Railway sick line, Danapur he saw the petitioner coming with black bag looking suspicious. On search a gazel pin was found in that black bag which was suspected to be railway property. During trial seven prosecution witnesses were examined only on the point of search, seizure and recovery from the possession of the petitioner. Further it appears that the petitioner was himself a railway employee and had no explanation for the articles which were found from his possession.

In view of such, I find no merit in the revision application. The same is dismissed. However, considering that the occurrence took place in the year

1992 i.e., 23 years ago, the period undergone shall be sufficient for such conviction.



(Anjana Prakash, J)

Patna High Court Patna/
Dated, 28th Jan 2015
NAFR/Prakash/-

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