

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.678 of 2014

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Md. Alam Ansari , son of Md. Manzoor Ansari, resident of Village-Hasdih,
P.S. & District Jamui Petitioner

Versus

The State of Bihar Opposite party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Respondent/s : Mr. Dr. Indivar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

5 08-01-2015 Heard learned counsel for the petitioner and learned
counsel for Opposite Party No.2.

The petitioner was convicted under sections 279 and 304A of the Indian Penal Code and was directed to pay a fine of Rs.500/- for the offence under section 279 of I.P.C. and R.I. for one year for the offence under section 304A of I.P.C.

It appears that the prosecution examined four witnesses in support of its case.

Counsel for the petitioner submits that none of the witnesses stated that they had any direct knowledge of the incident. Further more, none of the co-passengers were examined in course of the trial. However, counsel for the State submits that the case is based on circumstantial evidence.

Having regard to the facts and circumstances of the case and in the interest of justice, the conviction of the petitioner is

upheld but the sentence awarded to the petitioner is reduced to the period already undergone. The petitioner is directed to be released forthwith, if not wanted in any other case. However, the petitioner would deposit a sum of Rs.500/- in the court below within three months, which would be released in favour of the family members of the deceased.

In the result, this revision application is dismissed with the modification in sentence as indicated above.

Registry is directed to send, forthwith, a copy of this order along with the Lower Courts Record.

(Samarendra Pratap Singh, J)

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