

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.293 of 2015

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Bhagwan Sah, son of Late Rajendra Sah, resident of village- Simra, P.S.-
Dumra, District- Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Adv.
Mr. Sunil Prasad Singh, Adv.

For the Respondent/s : Mr. Pradip Nr.Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 08-06-2015

Heard learned counsel for the petitioner and the State.

Petitioner driver has been convicted for the offence under Section 304(A) and other allied Sections of the Penal Code and has been sentenced to undergo rigorous imprisonment for two years under Section 304(A), simple imprisonment for six months under Section 427, simple imprisonment for six months under Section 279 of the Penal Code. However, the sentences have been directed to run concurrently.

Petitioner has remained in jail custody for three months, in the circumstances, at this juncture, he cannot be allowed to be released on bail. From perusal of the judgment of the trial court as also the appellate court I am satisfied that the courts below considering the evidence on record has rightly

convicted him for the offences committed by him as one person suffered death on account of the accident from the vehicle being driven by the petitioner. However, maintaining his conviction, I modify his sentence from two years to six months.

The application stands disposed of.

(V.N. Sinha, J.)

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