

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.217 of 2015

Arising Out of PS.Case No. -60 Year- 2004 Thana -null District- NAWADA

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1. Nand Lal Sao Son of Late Shibu Sao
2. Mahesh Sao son of Nandlal Sao, Both residents of village Govindpur, P.S.
Govindpur, District- Nawadah

.... Petitioner/s

Versus

1. The State of Bihar
2. Prem Shankar Sao Son of Late Bishwanath Sao, resident of village- Govindpur,
P.S. Govinpur, District- Nawadah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Advocate

For the Respondent/s : Mr. Binod Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-05-2015

A Supplementary Affidavit has been filed stating therein
that the Petitioner No.1 is dead.

The application as against the Petitioner No.1 is dismissed
as having become infructuous.

The Petitioner No.2 seeks revision of the judgment of
conviction and order of sentence dated 22.12.2011 passed by the
Judicial Magistrate, 1st class, Nawada in G.R. case No.1687 of 2004
(Trial No.153 of 2011) arising out of Govindpur P.S. case No.60 of
2004, by which he has been convicted for the offence under Sections
323/34, 341/34 and 325/34 of the I.P.C. and awarded maximum
sentence of two years R.I. and a fine of Rs.5000/-.

Having gone through the judgment in appeal, I do not find any reason to interfere. However, in view of the relationship between the parties and the nature of injuries, the period of sentence already undergone by the Petitioner No.2 shall suffice in the interest of justice.

With the aforesaid modification in sentence, the revision is dismissed.

(Anjana Prakash, J)

Narendra/-

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