

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.742 of 2014

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1. Md. Imtiyaz @ Md. Imtiyaz Alam son of Md. Anwar Hussain resident of
village- Kaidarabad, P.S. Bachhwara, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha

For the Respondent/s : Mr. B.Ram (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

- 5 09-11-2016 1. The present revision application under Section 53 of
the Juvenile Justice (Care & Protection of Children) Act, 2000,
has been preferred against the judgment of conviction of offence
under Section 354 of the Indian Penal Code dated 22.07.2013
passed by learned Principal Magistrate, Juvenile Justice Board,
Begusarai in Trial No. 566 of 2013 arising out of G.R. case No.
414 of 2008 has been affirmed. The learned appellate Court has,
however, modified the order of sentence passed by learned trial
Court from imprisonment for two years to one year. While
modifying the sentence, the learned appellate Court clearly
observed that the period undergone by the petitioner in remand
home shall be set off against the modified period of sentence.
2. Learned counsel appearing on behalf of the petitioner

has submitted that the petitioner has already remained in remand home for nearly 20 months.

3. Learned counsel for the petitioner has, however, questioned the legality of the judgments, whereby the petitioner's conviction has been recorded for the offences punishable under Section 354 of the Indian Penal Code.

4. I have perused the impugned order and considered the submissions advanced on behalf of the petitioner that the findings recorded by the Courts below are perverse warranting interference by this Court. From careful examination of the said materials, I am of the view that findings cannot be said to be perverse, without any evidence. The concurrent findings of fact recorded by the Courts below are not such as to require interference by this Court in a revisional jurisdiction.

5. I do not find any merit in this application, which is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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