

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.287 of 2017

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Rutan Yadav @ Rutan Deo Yadav, Son of Maheshwari Yadav, Resident of
Village-Rakhauta, P.S. Sonbarsa, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Respondent/s : Mr. Anant Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 01-05-2017 The petitioner stood convicted of the offence punishable under Section 25(1-B)a of the Arms Act and sentenced to undergo rigorous imprisonment for a period of three years and a fine of Rs. 1,000/-. In default of payment of fine, he is to further undergo imprisonment for a further period of one month.

The impugned judgment and order was passed on 24.01.2014 by the Court of learned *Ad-hoc* Additional Sessions Judge-II, Saharsa, in Cr. Appeal Nos. 23/2011/24/2011.

The present criminal revision application, preferred



under Sections 397 and 401 of the Code of Criminal Procedure, is hopelessly barred by limitation.

Learned counsel for the petitioner has submitted that the petitioner has already served the sentence and he is still in custody.

Considering the materials on record and the evidence, which have been discussed by the learned court below, I do not find it to be a fit case for interference either with the findings or the sentence, so imposed. If the petitioner has served the sentence, there is no question why release order cannot be made in this regard.

With the observation as above, this application stands dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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