

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.265 of 1991

Against the judgment of conviction dated 17th July, 1991 passed in Sessions Trial No.785 of 1988 by 9th Addl. Sessions Judge, Patna.

1. Om Prakash Mahto, son of Rameshwar Mahto
2. Rameshwar Mahto, son of Mano Mahto
3. Deobrat Mahto
4. Ramnath Mahto
5. Shiv Mahto
6. Shyambabu Mahto

Sl. No.3 to 6 are sons of Rameshwar Mahto, resident of Mohalla Simli Sahadra, P.S. Malsalami, Patna City, District-Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 07-10-2017

Appellants herein namely Om Prakash Mahto, Rameshwar Mahto, Deobrat Mahto, Ramnath Mahto, Shiv Mahto and Shyambabu Mahto have filed this appeal challenging their conviction under Section 324 of the Indian Penal Code read with Section 149 of the Indian Penal Code and directing them to be released on execution of one surety bond under Section 360 of the Code of Criminal Procedure.

The appeal is pending since 1991. The appellants have convicted and they have been let off by executing bond with one surety for one year which is already over and there is nothing to



indicate they are required to undergo any further sentence or that they violated the condition of the bond. The period of bond is already over and they have been discharged of the bond and now no further action is required to be taken for committing them to undergo jail sentence.

Keeping in view the aforesaid, I find no reason to make any indulgence into the matter now after 26 years of passing of the judgment on 17th July, 1991 and 36 years of the commission of offence. There is no adverse effect on the appellants and therefore the appeal stands disposed of.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
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