

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.605 of 2002

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1. Nago Yadav, son of Dangal Yadav
 2. Dangal Yadav, son of late Sardar Yadav
 3. Tulshi Yadav, son of late Ramdhani Yadav
 4. Sheo Balak Yadav, son of Jugal Yadav.

All 1 to 4 resident of village- Panepura, Police Station-Harbiga, District-Munger.

... .. Appellant/s

Versus

State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 22-11-2017

This appeal has been filed against the judgment of conviction and order of sentence passed in Sessions Case No.131 of 1986 by the Presiding Officer, Addl. Court (Fast Track), Munger, on 25th September, 2002 and 26th September, 2002 respectively, whereby appellant No.1 Nago Yadav and Appellant No.3 Tulshi Yadav have been convicted under Section 324 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for six months and appellant No.2 Dangal Yadav and appellant No.4 Sheo Balak Yadav have been convicted under Section 323 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for three months. However, they had been released on probation on their entering into a bond of Rs.5000/- with two sureties of the like amount each to appear and receive sentence



when called upon during one year and to keep peace and be of good behaviour.

The judgment in question was passed on 25.09.2002 and the incident in question took place on 10th June, 1985. On going through the judgment rendered by the trial Court, it is clear that the accused persons had assaulted the injured persons and the entire case of the prosecution has been proved. From the statement of the witnesses, particularly P.W.9 the informant Sitaram Yadav, P.W.8 Sahdeo Yadav and the doctor, who examined the injured persons, have also proved the injury, i.e. Dr. Mahesh Prasad Singh, P.W.7.

Taking note of the fact that the appellants were only convicted under Section 324 and 323 IPC to undergo rigorous imprisonment for six months and three months respectively and they were left on furnishing bond of Rs.5000/- to keep good behaviour for a period of one year, which period is already over way back in the year 2003, and during this period of one year there was nothing adverse against them nor till date there is anything adverse against them, now upholding the conviction, the appeal stands disposed of.

(Rajendra Menon, CJ)

Sunil/-

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