

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.654 of 2002

1. Balchand Singh, son of Jae Singh
 2. Jagannath Singh, son of Balchand Singh
 3. Dharma Nath Singh, son of Balchand Singh
 4. Raghu Nath Singh, son of Balchand Singh
 5. Awadhesh Singh, son of Ganpat Singh
- All are residents of Bhithishabuddin, P.S. Baniyapur, District-Saran.
6. Janardan Singh, son of Ram Lakhan Singh,
a resident of the village-Bhatkeshri, P.S. Jalalpur, District-Saran.

... .. Appellant/s

Versus

State Of Bihar Through Lakhi Singh

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Bipin Kumar, A.P.P.

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 25-11-2017

Challenging their conviction for offences under Sections 323 and 325/149 of the Indian Penal Code for causing simple injuries, this appeal had been filed by the appellants in the year 2002.

The offence is said to have taken place on 04.03.1994 and on going through the judgment, it is seen that after convicting for the offences, they were acquitted of the charges under Section 307/149 and 324 IPC, but it was found that two grievous injuries and remaining simple injuries were caused and the appellants have been convicted under Section 323 and 325/149 of the Indian Penal Code, but look to the fact that they had no criminal antecedents, they were the first offenders and it was with regard to family dispute, all the appellants were directed to be released on



probation under Section 360(1) Cr. P.C. on entering into bonds of Rs.5000/- each with two sureties of the like amount each to keep peace and to be of good behaviour for a period of two years with effect from 24.07.2002. The said period is already over and there is nothing to indicate that the benefits granted have been misused.

On going through the judgment it is seen that the case of the prosecution has been proved based on the evidence of eye witnesses and this Court does not see any reason to interfere with the impugned judgment of conviction.

In view of the aforesaid circumstances, the appellants having already been released on probation under Section 360(1) Cr. P.C. on entering into bonds of Rs.5000/- each with two sureties of the like amount each to keep good behaviour for a period of two years which period is already over way back in the year 2004 and during this period of two years, 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/-

AFR/NAFR	NAFR
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