

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.633 of 2014

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Arjun Prasad, Son of late Banshi Tanti, resident of Mohalla-Mogat Kuan
Baulipar, P. S. Sohsarai, District-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Kumari Sujata Sinha

For the Respondent/s : Mr. Ram Priya Saran Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 02-03-2017 Heard learned counsel for the parties.

2. The petitioner stood convicted of the offence punishable under Sections 354 and 354B of the Indian Penal Code by judgment and order, dated 12. 03.2014 arising out of Sohsarai P. S. Case No. 111 of 2013 dated 28.09.2013 and sentenced to rigorous imprisonment for a period of three years and fine of Rs. 3,000/-, in default of which to undergo further imprisonment for a term of three months. The said judgment of conviction and order of sentence dated 12.03.2014 has been affirmed by judgment and order dated 06.06.2014 passed by learned Adhoc Additional District and Sessions Judge, Ist, Nalanda at Biharsharif in Criminal Appeal No. 13 of 2014.

3. The present criminal revision application has been filed under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973 (hereinafter referred to as



the **Code**) against the above mentioned judgments and orders. Lower Court's records have been received by this Court and have been perused by me.

4. In nutshell, the case of the prosecution is that the informant was engaged in dairy business on small scale. On the alleged date of occurrence, the informant's two minor daughters had gone to the house of the accused for collecting container in which milk was supplied by the informant on the previous day. It was alleged in the First information Report registered on the basis of *fardbeyan* of the Informant that the petitioner outraged the modesty of one of her daughters by committing act of physical contact involving unwelcome sexual overreach. He used force with intent to disrobe the girl by making an attempt to remove her undergarments.

5. The police upon investigation submitted charge-sheet. After framing of charge, the petitioner was put on trial. Charge was, accordingly, framed under Sections 354A and 354B of the Indian Penal Code. After close of the prosecution evidence, statement of the petitioner was taken under Section 313 of the Code.

6. The prosecution witnesses supported the case of the prosecution. Upon analysis of the evidence on record, the trial Court recorded conviction of the petitioner of offence punishable under Sections 354A and 354B of the Indian Penal



Code. In appeal, the appellate Court affirmed the judgment of conviction and sentence.

7. Upon perusal of the materials on record, I do not find that any case of perversity in concurrent findings of fact recorded by the Courts below is made out requiring this Court's interference in revisional jurisdiction.

8. There is no merit in this application. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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