

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.537 of 2002

RAJDEO MUKHIYA @ RAJDEO BIN & ANR

... .. Appellant/s

Versus

STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arun Kumar Tripathi, Amicus Curiae
For the Respondent/s	:	Mr. Bipin Kumar, APP

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 16-09-2017

The appellants herein have been convicted in Sessions Trial No.90 of 1993 and sentenced to one year's rigorous imprisonment for offence under Section 324 I.P.C. and a fine of Rs.2000/- and in default of payment of fine, a further rigorous imprisonment for three months.

The incident in question took place on 8.7.1992 at 8:00 a.m. and from the material available on record, it is seen that the appellants have been in custody for a period of more than six and a half months. Now after such a long period of time, it is not appropriate to take them back in the custody and further direct them to undergo the remaining sentence. Instead, interest of justice would be met in case the fine is increased from Rs.2000/- to Rs.3000/- and appellants directed to deposit the remaining amount of Rs.1000/- within three months from



today failing which they will have to undergo one month's further simple imprisonment.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
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