

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.266 of 2017

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1. Saryug Das, Son of Late Chalittar Das, Resident of Mohalla - Ram Bhadra, Police Station Hajipur Town, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

For the Respondent/s : Mr. Smt Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

- 3 22-03-2017 The petitioner is aggrieved by judgment and order dated 23.04.2015 passed in Criminal Appeal No. 46 of 1995 by learned Additional Sessions Judge-VII, Vaishali at Hajipur whereby he has affirmed the judgment and order of sentence passed by the learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur in Trial No. 1657 of 1995 dated 29.06.1995 holding the petitioner guilty of the offence punishable under Sections 279 and 304A of the Indian Penal Code and sentencing him to undergo imprisonment for a period of four months and one and half years respectively for the said offence. The concerned First Information Report being Hajipur Town P.S. Case No. 268 of 1998 was registered on 22.07.1988 with the allegation of rash and negligent driving, resulting into death of a person.



Learned counsel for the petitioner has submitted that the petitioner has remained in custody continuously from 20.02.2017. He has become old and he has already undergone the rigours and agony of delayed trial and appeal before the courts below.

Findings of fact recorded by the courts below leading to conviction of the petitioner being concurrent, does not require interference in revisional jurisdiction in the absence of any material to show that the findings are perverse. However, considering the nature of accusation and submission advanced on behalf of the petitioner, the sentence imposed by the courts below is, hereby, modified to the period of custody, which the petitioner has already undergone.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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