

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.694 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- SASARAM (ROHTAS)

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Rajbansh Ram, Son of Late Inderdeo Ram, Resident of Village- Jogwaliya, P.S.
Karagahar, District Rohtas

.... Petitioner

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate

For the State : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 03-10-2017

Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this revision petition against the judgment and order dated 03.05.2017, passed by learned Sessions Judge, Rohtas at Sasaram in Criminal Appeal No.06 of 2009 whereby he has dismissed the appeal and affirmed the judgment and order dated 13.01.2009, passed by Judicial Magistrate, 1st Class, Sasaram (Rohtas) in T.R. No.2198 of 2008, arising out of Kargahar P.S. Case No.29 of 2006 whereby the petitioner was convicted under Sections 25(1-B)a and 26(1) of the Arms Act and sentenced to undergo RI for two years and fine of Rs.2000/- for committing both offences and in default of making payment of fine to undergo SI for six months and directed that sentences shall run concurrently.

3. Learned counsel for the petitioner limits his argument



to the point of sentence. Learned counsel for the petitioner submits that it is the first offence of the petitioner and it is not the case that he was found using the illegal arms rather the same is said to have been recovered from his house. Contrary to that the learned counsel for the State submits that maximum punishment is three years and the petitioner has been awarded two years of imprisonment besides fine.

4. The judgment passed by both the courts show that it is the first offence proved against the petitioner and one country made rifle with two live cartridges was recovered from the house of the petitioner and at present he is approximately 58 years of age, so his period of sentence is reduced to one year and three months instead of two years for both the offences however, both sentences shall run concurrently and the petitioner shall pay fine of Rs.3000/- and in absence of payment of fine further simple imprisonment of six months.

5. With this modification in sentence, the criminal revision application stands disposed of.

(Arun Kumar, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
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