

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.268 of 2009

PARSURAM YADAV son of Bishundeo Yadav, resident of Village-Khagaria
(Gangiya) PS-Gangour, Distt-Khagaria.

... .. Appellant/s

Versus

STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Sumiran Rai, Advocate
For the Respondent/s : Mr. Satya Narayan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL JUDGMENT

12-12-2018

Gone through the judgment impugned which has been pronounced by the Assistant Sessions Judge-2nd, Civil Court-Khagaria relating to Sessions Trial No. 51/2008 dated 06.03.2009 whereby and whereunder the appellant has been sentenced to undergo RI for three years as well as to pay fine appertaining to Rs. 3000/- in default thereof, to undergo SI for three months under Section 326 of the IPC as well as, RI for 2 years as well as to pay fine of Rs. 2000/- in default thereof, to undergo SI for 3 months, additionally for an offence punishable under Section 27 of the Arms Act and that being so, the instant appeal would not lie before the High Court as provided under Section 374(2) of the CrPC, instead thereof, ought to have been preferred before the Sessions Judge, Khagaria.

Because of the fact that none appears on behalf of the



appellant, the office is directed to transmit the instant memo of appeal with lower court records to the learned Sessions Judge, Khagaria who will notice the appellant and in case of his appearance, will proceed in accordance with law. In terms thereof, the appeal is disposed of.

(Aditya Kumar Trivedi, J)

perwez

AFR/NAFR	NAFR
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