

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.439 of 2020

Arising Out of PS. Case No.-53 Year-2013 Thana- BHAPTIAHI District- Supaul

Ram Kumar Mehta S/o- Anuplal Mehta Resident of Basawanpatti, P.S.-
Karjaine, District- Supaul, Bihar.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant : Mr.Prabhakar Nath Rai, Advocate
For the Respondent-State: Ms. Shashi Bala Verma, APP.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

4 01-10-2021 Vide order dated 08.02.2021, this appeal has been admitted and the lower court records have been called for. At that time, it was not brought to the notice of the Court that the substantive sentence passed by the Trial Court against the appellant was 10 years.

We have looked into the records and find that the appellant has been convicted under Section 366 of the Indian Penal Code and has been sentenced to undergo rigorous imprisonment for ten years with a fine of Rs.50,000/-.

Proviso to Rule 36 in Chapter XII Part A of the Patna High Court Rules provides that an appeal in which substantive sentence up to and inclusive of ten years has been passed shall



be laid before a Single Judge for admission.

In that view of the matter, registry is directed to convert the present appeal, which has been filed before the Division Bench into a Single Bench Appeal and place it before the learned Single Judge as per roster.

(Ashwani Kumar Singh, J)

(Arvind Srivastava, J)

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