

20.07.2021

Sl. No. 06

Srimanta

Ct. No. – 42

D/L

CRA/456/2013

(Via Video Conference)

**In Re : Bandwan P.S. Case No. 37/11, dated 22/8/11;
G.R. Case No. 886/11; S.C.No. 273/11; S.T. No.
02/12.**

In the matter of : Yudhisthir @ Judhistir Mahato.

... petitioner.

This is a Jail appeal against the Judgement and Order of conviction and sentence passed by the Learned Additional Sessions Judge, Fast Track, 3rd Court at Purulia convicting the appellant for committing offences under Sections 306/506 of the Indian Penal Code and sentencing him to suffer rigorous imprisonment for seven years with fine of Rs.10,000/-, in default, to suffer simple imprisonment for six months for the offence punishable under Section 376 of the Indian Penal Code and also to suffer rigorous imprisonment for three years and pay fine of Rs.5,000/-, in default, simple imprisonment for three months for committing offence under Section 506 of the Indian Penal Code. It was further directed that the sentences of imprisonment shall run concurrently.

The date of sentence was 7th March, 2013. The Jail appeal was filed on 12th June, 2013.

Though the Jail petition is barred by limitation but no application under Section 5 of the Limitation Act has been filed along with the petition. Moreover, the appellant was taken into custody to suffer sentence on the date of delivery of the Judgement and Order of conviction and sentence by the Learned Trial Court on 7th March, 2013. The record does

not show that the appellant was granted bail by this Court or any other Court during the pendency of the instant appeal. Thus, the appellant has served out entire period of sentence.

Accordingly, the appeal is at present infructuous and the same is **dismissed**.

(Bibek Chaudhuri, J.)