

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.195 of 2021**

Arising Out of PS. Case No.-108 Year-2018 Thana- BASANTPUR District- Siwan

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KANTI DEVI Wife of Suresh Rai Resident of Village- Barhoga Khurd, P.S.-
Basantpur, District- Siwan.

... .. Petitioner

Versus

1. The State of Bihar
2. Sudish Rai S/o Late Punya Deo Rai Resident of Village- Seriya, P.S.-
Basantpur, District- Siwan.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Ashok Kumar, Advocate
For the Respondents	:	Mr.Bharat Bhushan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 21-07-2022 Learned counsel for the petitioner undertakes to

remove the further defects pointed out by Stamp Reporter

within two weeks from today.

This revision application has been preferred for
revision of the judgment of conviction dated 17.02.2020 and
sentence dated 24.02.2020 passed in Sessions Trial No.
503/2018 arising out of Basantpur P.S. Case No. 108/2018 under
Section 498A/34, 302/34 and 342 of the I.P.C. passed by the
learned Additional District & Sessions Judge – 7th, Siwan.

It appears on perusal of the records that the accused
has been convicted for the offence under Section 306 and 323 of
the Indian Penal Code. The learned trial court has imposed a
sentence of rigorous imprisonment of five years under Section



306 I.P.C. and a fine of Rs. 10,000/-, for the offence under Section 323 I.P.C. six months simple imprisonment has been imposed.

Learned counsel submits that in view of the materials available on the record the sentence imposed upon the opposite party no. 2 is not commensurate to the status of his guilt, therefore, it requires enhancement.

Very soon after discussion took place on the kind of materials present in the impugned judgment, learned counsel for the petitioner prays that he may be allowed to withdraw this application.

Permission is granted.

This application is dismissed as withdrawn.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

