

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.440 of 2022

Arising Out of PS. Case No.-205 Year-2015 Thana- SURYAGARHA District- Lakhisarai

Murari Mahto Son Of Late Doman Mahto R/O Village- Manuchak, P.S.-
Surajgarha, District- Lakhisarai

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate
For the Respondent/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-08-2022 Let the I.A. be taken on the record. Office to register
the same.

Heard learned counsel for the petitioner.

The petitioner is aggrieved by and dissatisfied with the judgment dated 13.05.2022 passed in Cr. Appeal No. 13 of 2016 by learned Sessions Judge, Lakhisarai whereby and whereunder the learned Sessions Judge has been pleased to affirm the judgment and order of conviction dated 29.04.2016 passed by learned C.J.M., Lakhisarai in G.R. Case No. 1576 of 2015 arising out of Surajgarha P.S. Case No. 205 of 2015.

On perusal of the impugned judgment, it appears that the prosecution examined three witnesses in this case. The material witness is PW 2 who is the informant Police officer and had seized the firearms from the petitioner. The prosecution has proved the seizure list as Exhibit 2, the written application of the



informant (Exhibit 3), report of Sergeant Major who deposed as PW 1 as Exhibit 1 and the sanction of prosecution given by DM, Lakhisarai as Exhibit 4.

This Court finds that the learned trial court as well as learned appellate court have thoroughly examined the evidences present on the records and have arrived on a conclusion that the petitioner is guilty of commission of the offence under Section 25(1-B)a/26 of the Arms Act. The petitioner has been ordered to undergo one year simple imprisonment and Rs.3,000/- as fine for the offences committed by him and in default of payment of fine in both the Sections the petitioner has to undergo further sentence for 10-10 days of simple imprisonment.

This Court finds no perversity with the concurrent findings of the learned trial court as well as the learned appellate court.

No interference is required with the appellate court's order.

This revision application is dismissed.

(Rajeev Ranjan Prasad, J)

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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'.

