

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1783 of 2019

Arising Out of PS. Case No.-294 Year-2016 Thana- WARISNAGAR District- Samastipur

RAVI KUMAR MAHTO Son of Vindeswar Mahto Resident of Village - Ward
No. 4, Satmalpur, P.S.- Warisnagar, District - Samastipur.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jitendra Narain Sinha

For the Respondent/s : Mr.Zeyaul Hoda

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

14 21-10-2024 Heard the learned counsel for the appellant Sabal
Kumar Jha and the learned Spl. P.P. for the State.

2. The present appeal has been filed against the judgment of conviction and order of sentence dated 19.02.2019 and 25.02.2019 respectively passed in S.Tr. No. 278 of 2017 / 124 of 2017 arising out of Warisnagar P.S. Case No. 294 of 2016 by which the appellant has been convicted under Section 304B/34 of the Indian Penal Code and he has been directed to undergo rigorous imprisonment for ten years.

3. Learned counsel for the appellant, at the very outset, does not challenge the judgment of conviction and he limits his argument to the punishment awarded to him i.e. to undergo rigorous imprisonment for ten years.

4. It has been submitted by the learned counsel for the appellant that the minimum sentence for having committed the offence under Section 304B of the Indian Penal Code is



seven years and the appellant has been sentenced to undergo rigorous imprisonment for ten years. He also submits that the appellant is a young man and he has no prior record of conviction and he prays for a lenient view. The appellant is in custody since 31.12.2016.

5. I have considered the submission of the parties.

6. In the facts of the case, this Court does not interfere in the conviction of the appellant which is upheld but the sentence to undergo rigorous imprisonment for 10 years is modified to rigorous imprisonment for 8 years.

7. The petitioner is directed to undergo rigorous imprisonment for eight years.

8. If the petitioner has already undergone rigorous imprisonment for a period of eight years including the period of remission etc. and if he is not wanted in any other case, he is directed to be released forthwith.

9. Accordingly, this appeal stands partly allowed.

(Sandeep Kumar, J)

Vikas/-

U			
---	--	--	--

