

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.357 of 2024

Arising Out of PS. Case No.-73 Year-1991 Thana- NAUTAN District- West Champaran

MANAGER SHARMA SON OF BISHUN DAYAL SHARMA RESIDENT
OF VILLAGE - KHALWA GAHIRI, POLICE STATION - NAUTAN,
DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mr.Brij Kishor Mishra
For the Respondent/s	:	Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. This revision application is being filed for setting aside the part of the impugned judgment and order dated 24.01.2024 passed by the Sessions Judge, West Champaran at Bettiah in Criminal Appeal No. 59 of 2017 by which the petitioner has been convicted and sentenced to undergo one year simple imprisonment under section 323 of the Indian Penal Code and further one year simple imprisonment under section 147 of the Indian Penal Code observing that both the sentences will run concurrently and the period spent in judicial custody will be set off from the above sentences.

3. Learned counsel for the petitioner submits that the occurrence is of the year 1991 and the petitioner has been



convicted under Sections 323 and 147 of the Indian Penal Code.

4. The petitioner has already undergone a sentence of about nine months.

5. Learned counsel for the petitioner submits that the petitioner has already suffered a lot while undergoing the trial and the appeal for the last more than 32 years and he has pressed his revision application on sentence.

6. Considering the fact that the petitioner has suffered since 1991 and has already undergone the sentence for nine months, the sentence of the petitioner is modified to the period already undergone.

7. This application is allowed.

(Sandeep Kumar, J)

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