

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1434 of 2019

Arising Out of PS. Case No.-23 Year-1997 Thana- TURKAULIYA District- East Champaran

1. RAGHUNATH SINGH Son of Late Ramswarup Singh Resident of Village - Bishunpurwa, Post - Chainpur, Bijulpur, P.S.- Turkaulia, Distt - East Champaran.
2. Kalawati Devi Wife of Raghunath Singh Resident of Village - Bishunpurwa, Post - Chainpur, Bijulpur, P.S.- Turkaulia, Distt - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Hari Narayan Singh Son of Late Ramswarup Singh Resident of Village - Chitha, P.S.- Turkaulia, Distt - East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Informant	:	Mr. Kundan Rathore, Advocate
For the Respondent/s	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 07-02-2024 In G.R. Case No. 1877 of 1997, the petitioners namely Raghunath Singh and Kalawati Devi were convicted under the charge of Section 323/324/447/379 of the Indian Penal Code. The learned Judicial Magistrate, 1st Class, East Champaran, Motihari passed an order of sentence against the above named petitioners of imprisonment of six months with fine of Rs. 1,000/- for the offence committed under Sections 323/34 of the Indian Penal Code, imprisonment for one year with fine of Rs. 2,000/- for the offence under Section 324/34 of the Indian Penal Code, imprisonment for three months and fine



of Rs. 500 for the offence under Section 447/34 of the Indian Penal Code. The petitioners preferred an Appeal before the learned Additional Sessions Judge, East Champaran, Motihari by filing criminal Appeals 90 and 102 of 2013. The said Appeals were heard by the learned Additional Sessions Judge, 8th Court at East Champaran, Motihari. By this impugned judgment, the learned Additional Sessions Judge, East Champaran, Motihari upheld the order of conviction against the petitioners but directed the petitioners to remain under the custody of the Probation Officer under Section 3 and 4 of the Probation of Offenders Act for a period of three years. The petitioners have already covered the said period under the supervision of the Probation Officer.

2. In view of such circumstances, the instant Revision becomes infructuous.

3. It is submitted by the learned Advocate for the petitioners that the learned court of Appeal is required to pass a formal order realizing the petitioners from the custody of the Probation Officer.

4. I am in agreement with the submission made by the learned Advocate for the petitioner.

5. The learned Additional Sessions Judge, 8th Court,



East Champaran, Motihari is directed with reference to Cr. Appeals No. 90 and 102 of 2013 to release the petitioners from the custody of the Probation Officer, if the period of Probation has been completed by the petitioners.

6. With the above order, the instant Revision is disposed of.

(Bibek Chaudhuri, J)

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