
(2001) 07 PAT CK 0008

In the Patna High Court

Case No : Criminal Revision No. 361 of 1999

Ram Naresh Singh and Others

APPELLANT

Vs

The State of Bihar

RESPONDENT

Date of Decision : 06-07-2001

Acts Referred:

Penal Code, 1860 (IPC) — Section 147, 148, 324
Probation of Offenders Act, 1958 — Section 4(1)

Citation : (2001) 3 PLJR 815

Hon'ble Judges : A.K. Sinha, J

Bench : Single Bench

Advocate : Sudarshan Sharma, for the Appellant; Vivekanand Vivek, for the Respondent

Final Decision : Dismissed

Judgement

A.K. Sinha, J.—This revision application has been directed against the judgment dated 7.4.1999 passed by 1st Addl. Sessions Judge, Nawadah in Cr. Appeal No. 24 of 1990 by which the appeal preferred by the Petitioners was dismissed. The trial court had convicted Petitioners Bhola Singh and Bino Singh under Sections 148/324 of the I.P.C. and the rest of the Petitioners were convicted u/s 147 of the I.P.C. All the convicts were ordered to execute probation bond of 1000/- with one surety each u/s 4(1) of the Probation of Offenders Act to maintain peace and be of good behaviour for a period of one year.

2. The alleged occurrence took place on 31.11.81 and a period of almost 20 years has elapsed since then.

3. While maintaining the order of conviction as recorded by both the courts below, I am of the view that no useful purpose will be served in ordering the Petitioners to execute the bond as ordered by the trial court after lapse of such a long period. The order passed by the trial court was to execute bond for maintaining peace for a period of one year only which expired long back and has lost its effect. Therefore, order to execute the bond is dispensed with.

4. In the result, this revision application is dismissed, with the above direction.