

IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE- I, BIRAU, DARBHANGA

14. In above fact and circumstance this court finds that prosecution has been successful in establishing its case and prove charges for offence u/s 354 IPC leveled against accused person beyond all reasonable doubt. accused person namely Chhotkain Kamti is held guilty for offence u/s 354 Indian Penal Code and accordingly he is convicted. accused person is on bail, his bail bonds stands canceled, he is taken in to custody.

A copy of this judgment be supplied to the accused person free of cost and the matter be now listed for arguments on the point of sentence.

This judgment has been written, corrected, signed, dated and pronounced by me in open court today i.e. on 22.08.2022.

Pankaj Chandra Verma,
A.C.J.M.- I

Pankaj Chandra Verma
A.C.J.M.- I

ORDER ON SENTENCE

Convict; Chhotkain Kamti is present along with his counsel.

Heard the learned SDPO and the learned counsel for the defence on the point of sentence.

Learned counsel for defence submitted that the convict is first time offender and have no criminal history. The case is old. The convict has suffered both physically and mentally by long trial of the case. Hence, a lenient view be considered in awarding sentence be awarded and a fit case to give benefit of probation of offenders act.

Per contra, ld. SDPO has very vehemently argued that the act of the convicts is unpardonable and it is argued that keeping in view the nature of the offence severe punishment be awarded to the accused. After giving thoughtful consideration to the submissions made at bar and that taking into account the nature of the offences as well as the basis and nature of occurrence this court of view to grant the benefit of section 3 of Probation of offenders Act to the convicts. The convicts are accordingly set free after due admonition.

I order accordingly.