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SLP(Crl.)No. 1198 OF 2003  
ITEM No.207 Court No.11

SECTION IIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 1198/2003  
(From the judgement and order dated 24/10/2002 in CRLA 91/01  
of The HIGH COURT OF PATNA)

MITHILESH SINGH Petitioner (s)

VERSUS

STATE OF BIHAR Respondent (s)

( With Appln(s). for bail,exemption from filing O.T. )  
( For Final Disposal )  
( With Office Report )

Date : 12/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. A. Sharan,Sr.Adv.  
Mr. M.K. Choudhary,Adv.  
Mr. S.K. Verma,Adv.

For Respondent (s)Mr. Irshnd Ahmad,Adv.  
Mr. B.B. Singh,Adv.

UPON hearing counsel the Court made the following

O R D E R

Exemption from filing O.T. allowed.

Leave granted.

Heard the learned counsel for ten minutes.

The appeal is disposed of.

( Y.P. Dhamija ) (Veera Verma )  
AR-cum-PS Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1148 OF 2003  
(arising out of SLP(CRL) No. 1198/2003)

Mithilesh Singh  
...  
APPELLANT (S)

VERSUS

State of Bihar

...

RESPONDENT (S)

O R D E R

Leave granted.

Heard the learned counsel for both sides.

The three accused persons were convicted for the offence under section 376 and were sentenced to imprisonment for 10 years and fine of Rs.5000/-. One of the accused Mithilesh Singh has filed the present appeal. Having regard to the facts and circumstances of the case, we find that the sentence of 5 years imprisonment is sufficient and it would meet the ends of justice. In the result, the conviction against all the three accused Suntun Thakur, Mithilesh Singh and Sanjit Kumar Singh is maintained and the sentence of

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imprisonment for 10 years is reduced to 5 years imprisonment. We do not interfere with the fine imposed.

The appeal is disposed of.

.....J.( K.G. BALAKRISHNAN )

New Delhi,

.....J.

September 12, 2003( B.N. SRIKRISHNA )