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Cr1.A.No. 1317-1319 OF 2003

ITEM No. 106

Court No. 8

SECTION IIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal Nos. 1317-1319 of 2003

Arun Kumar Pathy and Ors.Appellant (s)

Versus

State of Orissa

Respondent (s)

(With office report)

Date : 28-07-2004 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE H.K. SEMA

For Appellant (s)Mr. Yashobant Das, Sr.Adv.  
Mr. Kedar Nath Tripathy, Adv.  
Mr. Abhishth Kumar, Adv.

For Respondent (s)Mr. Janaranjan Das, Adv.  
Mr. Swetaketu Mishra, Adv.  
Ms. Moushumi Gahlot, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The appeals are dismissed.

[ Alka Dudeja ] [ Om Prakash ]  
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 1317-1319 OF 2003

Arun Kumar Pathy and Ors. ...Appellant (s)

Versus

O R D E R

The appellants alongwith one Saita alias Satyabadi Sahu were tried and by judgment rendered by the trial Court, Saita alias Satyabadi Sahu was acquitted of all the charges, whereas the appellants were convicted under Sections 302/149, 148 and 201/149 of the Indian Penal Code [for s hort 'the I.P.C.'] and each one of them was sentenced to undergo imprisonment for life and rigorous imprisonment for a period of two years on each count respectively. The sentences, however, were ordered to run concurrently. On appeal being preferred, the High Court of Orissa confirmed the conviction.

Having heard the learned senior counsel for the appellants and perused the record, we are of the view that prosecution case is supported by the evidence of two eye-witnesses, P.Ws 1 and 3 and their statements are corroborated by the medical evidence. The High Court as well as trial Court have recorded conviction of the appellants after threadbare discussion of the evidence.

We, therefore, are of the view that no ground for interference is made out. The appeals are, accordingly, dismissed.

.....J.  
(B.N. Agrawal)

.....J.  
(H.K. Sema)

New Delhi,  
July 28, 2004.