

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

Petition(s) for Special Leave to Appeal (Crl.) No. 3293/2000

(From the judgement and order dated 08/03/2000 in CRLA 81/92
of The HIGH COURT OF PATNA AT RANCHI)

KULLU MAHTO & ANR.

Petitioner (s)

VERSUS

STATE OF BIHAR

Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 15/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE DORAISWAMY RAJUFor Petitioner (s) Mr.Ejaz Maqbool,adv
Mr.B.K.Mishra,adv
M/s. Maqbool Mishra & Co.,Adv.For Respondent (s) Mr.Saket Singh,adv.for
Mr.B.B.Singh,adv

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J

Leave granted.

Appeal is disposed of in terms of the signed
order.(T.K.Viswanadhan)
Court Master(D.D.Jindal)
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 81 Of 2001

(Arising out of S.L.P.(Crl) No.3293/2000))

KULLU MAHTO & ANR. Appellant

Vs.

STATE OF BIHAR Respondent

O R D E R

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Leave granted.

In the matter under consideration, the High Court has convicted the appellant Jagdish Mahto and Tilak Mahto under Section 325 I.P.C. and each of them have been sentenced to undergo rigorous imprisonment for 3 years.

In this matter, upon consideration of the submission at the notice stage, this Court issued notice only so far as petitioners 3 and 6 as named above are concerned, and the rest of the petitions were rejected.

Today, when the matter was taken up, the learned Advocate strongly contended that, under Section 325 I.P.C., considering the nature of the evidence available on record, the sentence seems to be rather harsh. We also do feel it convenient to record that there is no direct evidence available for causing grievous hurt on P.W.2, so far as Jagdish Mahto and Tilak Mahto are concerned. Having regard to the nature of the evidence available on record, we do feel it proper to reduce the sentence of three years to one year.

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The appeal stands disposed of with these modifications, as above.

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.....J
(U.C.BANERJEE)

New Delhi,
January 15, 2001.

.....J
(DORAISWAMY RAJU)