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CrI.A.No. 978 OF 1998
ITEM No.1

Court No. 5

SECTION IIA

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

CrI. Miscellaneous Petition No. 5630/2001 in
Criminal Appeal No. 978/1998

DWARIKA MAHTO & ORS.

Appellant (s)

VERSUS

STATE OF BIHAR
(for modification)
(With Office Report)

Respondent (s)

Date : 07/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE S.N. VARIAVA

For Appellant (s)

Mr. P.P. Singh,Adv.(A.C.)

For Respondent (s)

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.....T.....J.

.SP2

CrI.M.P. is disposed of in terms of the signed order.

.SP1

(N.K. Goel) (H.K. Bhatia)
Court Master Court Master
(Signed order is placed on the file)

.PA
.PL55

L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL MISCELLANEOUS PETITION NO. 5630 of 2001@@

EE

IN

CRIMINAL APPEAL NO. 978 OF 1998@@

EE

Dwarika Mahto & Ors.

..Appellants

Vs.

O R D E R@@
EEEEEEEEEE

.....L.....I.....T.....T.....T.....T.....T.....T.....T....J
.SP2

Heard.

Signed order dated August 1, 2001 in Criminal Appeal No. 1223 of 1998 with Criminal Appeal No. 978 of 1998 will stand modified as under:

At page '2' line 11 from top words "and A3 Yogendra Mahto died" and at page '4' lines 15-17 from top words "As A3 Yogendra Mahto is not alive it is an unnecessary exercise on our part to decide whether he would have done it" will stand deleted.

Thereafter following corrections in the signed order are ordered to be made:

.....H.....L.....T.....T.....T.....T.....T.....T....J

- 1. At page '2' line 12 from top words "A3 Yogendra Mahto" will stand inserted after "A2 Mahender Mahto".

..2/-

:2:

- 2. At page '4' line 8 from bottom word "appellant" will be read as "appellants" and words "and A3 Yogendra Mahto" will stand inserted after "A2 Mahender Mahto".
- 3. At page '4' line 7 from bottom word "A3" will stand inserted after "A2".
- 4. At page '4' line 6 from bottom word "and Yogendra Mahto" will stand inserted after "Mahender Mahto".
- 5. At page '4' line 5 from bottom word "he" will be read as "they".
- 6. At page '5' line 1 from top word "him" will be read as "them".
- 7. At page '5' line 2nd from top, words "(A2 Mahendra Mahto)" will be read as "A2 and A3".
- 8. At page '5' line 5 from top word "A2" will be read as "A2 & A3".
- 9. At page '5' line 6 from top word "Mahendra Mahto" will be stand deleted.
- 10. At page '5' line 9 from top words "and A3 Yogendra Mahto" will stand be inserted after "A2 Mahender Mahto".
- 11. At page '5' lines 11-12 from top words "A2 Mahender Mahto" will be read as "both of them".

..3/-

:3:

- 12. At page '5' line 13 from top word "he" will be read as "they".

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

The benefit granted to A2 Mahender Mahto in the matter of sentence will stand extended to A3 Yogendra Mahto also. Crl.M.P. is disposed of accordingly.

.SP1

.....J.@@
BB
(K.T. THOMAS)@@
BB

.....J.@@
BB
(S.N. VARIAVA)@@
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NEW DELHI@@
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SEPTEMBER 7, 2001 @@
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