

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 2064 OF 2010
[ARISING OUT OF SPECIAL LEAVE PETITION (CRL.) NO. 7910 OF 2010]

BIR CHANDRA SAH & ANOTHER ...APPELLANTS

VERSUS

STATE OF BIHAR AND ANOTHER ...RESPONDENTS

O R D E R

1. Leave granted.

2. The appellants were convicted by the trial court for the offences punishable under Sections 323, 341 and 379 of Indian Penal Code and sentenced to undergo simple imprisonment for six months for the offence under Section 323 IPC, one month for the offence under Section 341 IPC and eighteen months for the offence under Section 379 IPC. A fine of Rs. 500/- with default clause was also imposed upon the appellants.

3. Against the judgment and order of the trial court, the appellants preferred an appeal before the learned Additional Sessions Judge, which was dismissed on 6.4.2010.

4. Aggrieved by the judgment dated 6.4.2010, an appeal was preferred before the High Court. The High Court, vide its order dated 22.6.2010, while maintaining the sentences under

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Sections 323, 341 IPC, reduced the sentence of the appellants from eighteen months to nine months under Section 379 IPC.

Hence, the present appeal.

5. Despite service of notice, none is present on behalf of the State of Bihar.

6. We have heard learned counsel appearing for the parties.

7. Learned counsel appearing for the respondent No. 2 -

For Petitioner(s) Mr. Ankit Parmar, Adv. for
 Mr. Prem Prakash, Adv.

For Respondent(s) Mr. Amandeep Singh, Adv. for
 Mr. Ashok Mathur, Adv.

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

Leave granted.

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The appeal is disposed of in terms of signed order.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

[SIGNED ORDER IS PLACED ON THE FILE]