

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.318 OF 2002

Narsingh Mahto & Ors.

...Appellant(s)

Versus

State of Bihar

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

The appellants were convicted by the Trial Court under Sections 366 and 452 of the Indian Penal Code, 1860, and sentenced to undergo rigorous imprisonment for a period of seven years on each count. Both the sentences, however, were ordered to run concurrently. On appeal being preferred, the High Court confirmed the convictions. Hence, this appeal by special leave.

Learned counsel appearing on behalf of the appellants submitted that the appellants have remained in custody for a period of more than three years and, as the occurrence had taken place in the year 1987, the sentence of imprisonment may be reduced to the period already undergone by them. In the facts and circumstances of the present case, the prayer is reasonable and must be granted.

....2/-

Accordingly, the appeal is allowed in-part and, while upholding the convictions of the appellants, the sentence of imprisonment awarded against them is reduced to the period already undergone by them.

The appellants, who are on bail, are discharged from the liability of bail bonds.

[B.N. AGRAWAL]

J.

[G.S. SINGHVI]

.....J.

[H.L. DATTU]

.....**J.**

**New Delhi,
July 22, 2009.**



JUDGMENT