

SUPREME COURT OF INDIA

Arun Kumar Pathy

Vs.

State of Orissa

Crl.A.Nos.1317-1319 of 2003

(B. N. Agarwal and H. K. Sema JJ.)

28.07.2004

ORDER

1. 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 short '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.

2. 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.

3. The appeals are, accordingly, dismissed.