

High Court of Judicature at Patna.

(Col)

er
(Civil Appellate Side.)

TITLE PAGE.



PART I.

(THIS FILE MUST BE PRESERVED FOR EVER.)

er APPEAL ~~FROM~~ _____

No. 46 of 194 1870

Lakhan Behra Appellants.

versus

_____ Respondents.

DATE OF DECISION OF HIGH COURT 19.3.1870

DITTO OF PRIVY COUNCIL _____

47/1870-03

In the High Court of Judicature at Patna.
(Cal)
TABLE OF CONTENTS.

er. Appeal No. 46 of ~~187~~ 1870

Lakhan Behera

Appellant.

versus

Respondent.

| Serial No. of Paper. | DESCRIPTION. | Page. |
|-------------------------|---|-------|
| | 1. Letter of reference | 1 |
| | 2. Judgment of the High Court with copy | 2-3 |
| | 3. Lower Court Judgment | 4-7 |

Done
9-1-42

46/1870-04

No 34

Cuttack, Judge's Office
The 15th February 1870.

Sir,

P. Alexander, Esq
Judge

For

The Registrar of the High Court
of Judicature in Bengal.
Sir William

Sir,

In conformity with the Court's
Circular Order No 5 dated the 28th May
1868, I beg to forward herewith the
records of the case noted in the margin

The Queen - Prosecutor

vs
Subigee Behara, Prisoner,
Convicted under Sec 193 of the Cr. P. Code &
sentenced on the 12th
January last to (6)
six months rigorous im-
prisonment.

I have the honor to be
Sir
Your most Obedt Servt

Alexander
Judge

138

L. v. Lukajani Meera



The P^r admitted her charge before
 the District Court. Pleading that she had
 been forced by her father and she
 had been ~~married~~ big.

The Sec. Judge has ~~readily~~ said
 that the law is in her favor, and that
 clear, that ~~she~~ ^{only} ~~was~~ ~~not~~ ~~used~~
 as would you be? The benefit of
 D.O. 99. P. - The District Judge has
 said that it is ~~clear~~ ^{conscience} ~~clear~~ ~~that~~ ~~she~~ ~~is~~ ~~being~~
 if the same evidence against her - but
 it is clear that she P. is being ~~used~~

46/1870-06

The Prisoner with vengeance
if he gave evidence against
him; but it is clear that
the Prisoner in giving the
false evidence charged did
not do so under any appre-
hension that instant
death would be the result
of his refusal to depose
in Pradon Knight's favor.

The appeal is rejected.

Edw. Louis Jackson
J. A. Glover

March 19/70

Depl. 20/3/70

Mr Justice King
John Jackson Esq
Prisoner

Mem. No 215

Copy forwarded to the Secy of
the Court for information with
reference to his letter No 24
of the 16th ulto and for com-
munication to the prisoner,
J. A. Glover.

The papers of the case
will be returned under a se-
parate cover.

By order of

High Court
The 19th March
1870

[Signature]

By Regr. in charge
of the office of Registrar

High Court of Judicature
at Fort William in Bengal.

Criminal appellate Jurisdiction.

The 19th March 1870.

Lachman Mohan,
Appellant.

Present:

The Honble Louis Jackson,

The Honble J. A. B. Closer,

Two of the Judges of the said

Court.

The Prisoner admitted
the charge before the
Sessions Court pleading
that he had been ^{forced} ~~forced~~
to give false evidence through
fear of Mardun Singh.

The Sessions Judge
diffidently disposed of
his ~~plea~~ ^{plea} ~~in the present~~
this ~~case~~ ^{plea} ~~in the present~~ and

it is clear that there were
no such threats used as
would give the prisoner
the benefit of Section 44,
P. C. The utmost Mardun
Singh did was to threaten

Petition of appeal
presented to the Officer
in Charge of the Cuttack
jail on the 16th
February 1870

No 46
46/1870-08 4

The Registrar of the High Court
Fort William

Sir

Luceu

I have the honor to submit

Verses Prosecutor herein with a petition of appeal of the
the Petitioner is charged with presence Luchyan Behara against
under section 193 of the I.P. Code and the Judges sentence or Order dated
sentenced for a period in the bargain
of six months

I have the honor to be

Sir

Your most Obedt Servant
Mandir

Officer in Charge of the Jail
Cuttack

Handwritten text in Odia script at the top left corner, possibly a title or reference number.

46/1870-09

Handwritten text on the right margin, oriented vertically.

Main body of handwritten text in Odia script, consisting of approximately 12 lines of dense, cursive handwriting.

Handwritten text in Odia script, consisting of approximately 10 lines. The text is written in a cursive style and is partially obscured by a vertical tear on the right side of the page. The characters are dark and appear to be ink on aged paper.

A large, stylized handwritten signature or flourish located at the bottom left of the page. It features intricate, overlapping loops and curves, characteristic of traditional Odia calligraphy.

Vertical handwritten text on the right margin of the page. It includes several lines of script, some of which are partially cut off by the edge of the document. The text appears to be a continuation or commentary related to the main body of text.

Handwritten text in a cursive script, possibly a list or account. The text is written on aged, yellowed paper and includes several lines of illegible characters. A prominent word, possibly "Mantel", is visible in the lower portion of the text.

Handwritten text at the top right of the page, including a date "1791" and a signature or name.

Mantel
Jailor

Copy

46/1870-10 b

70013
B
1/2/19

The court concurring with the assessor
finds that Luckyan Behara is guilty
of the offence specified in the charge namely
that Luckyan Behara has committed the
offence of intentionally giving false evidence
in a stage of a judicial proceeding and
has thereby committed an offence
punishable under section 193 of the Indian
Penal Code, & the court directs that
the said Luckyan Behara be rigorously
imprisoned for a period of six months.

The 12th January 1870

W. R. Alexander
Judge

True Copy

Alexander
Judge



Handwritten text in a cursive script, likely a signature or a short note, located at the top of the page. The text is written in dark ink on aged, yellowish paper. It appears to be a personal or official signature, possibly in a South Asian script like Devanagari or Grantha, though the characters are highly stylized and difficult to decipher. Below the main line of text, there is a smaller, more compact signature or mark.

HIGH

1870.

COURT.

CRIMINAL.

From

46/1870-11

THE OFFICER IN CHARGE OF JAIL
AGAINST THE ORDER OF

Mr.

P. Abraham
Sessions Judge of *Cutbert*

Dated

No.

46

Recd.

22 February.

APPEAL No.

136

Case of Prisoners.

Luckyan Polara.

Crime established.

Giving false evidence

Date of Trial.

12 January 1870.

SENTENCE

6 months P.C.

Prisoners in Jail.

Copy of [unclear]

136