

(1910) 08 CAL CK 0049

Calcutta High Court

Case No: None

Mahendra Prosad

APPELLANT

Vs

Emperor

RESPONDENT

Date of Decision: Aug. 19, 1910

Acts Referred:

- Penal Code, 1860 (IPC) - Section 21

Citation: 9 Ind. Cas. 698

Hon'ble Judges: Holmwood, J; Doss, J

Bench: Division Bench

Judgement

1. We are of opinion that this rule must be made absolute on the single ground that an unpaid apprentice of Government is not a public servant within the meaning of Section 21 of the Indian Penal Code. It does not appear that there is evidence of any other offence having been committed by the petitioner.
2. The rule is made absolute and the conviction and sentence are set aside.
3. The petitioner will be discharged from bail.