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ON THE
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OF
CRIMINAL JUSTICE
IN THE
PROVINCE OF BIHAR AND ORISSA
DURING THE YEAR
1934.



Superintendent, Government Printing,
Bihar and Orissa, Patna.
1935.

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[Maximum Limit—25 pages.]

REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PROVINCE OF BIHAR AND ORISSA

DURING THE YEAR

1934.

Judicial Staff.—Sessions Judges were employed throughout the year in all the twelve sessions divisions except during the following periods :—

- (1) In Gaya, Bhagalpur, Muzaffarpur, Saran, Purnea, Patna, and Manbhum-Sambalpur for the entire period of the civil court vacation from the 8th October to the 9th November ;
- (2) in Shahabad from the 12th to the 27th October ;
- (3) in Monghyr from the 26th October to the 9th November ;
- (4) in Cuttack from the 26th October to the 9th November ; and
- (5) in Chota Nagpur from the 8th to the 25th October.

During the above periods Sessions Judges of other districts were appointed as Additional Sessions Judges of these districts to dispose of urgent criminal work.

The three peripatetic Additional District and Sessions Judges were employed during the year in Patna, Gaya, Muzaffarpur, Darbhanga, Saran and Shahabad in the manner indicated below :—

Patna—One from the 2nd January to the 5th February, from the 14th February to the 6th May and from the 24th June to the end of the year ;

Gaya—One from the beginning of the year up to the 1st June ;

Muzaffarpur—One from the 7th May to the 25th June and from the 13th November to the end of the year;

Darbhanga—One from the beginning of the year up to the 5th June;

Saran—One from the 14th August to the 6th October;

Shahabad—One from the 8th July to the 22nd December.

During the year, temporary Additional District and Sessions Judges were employed in the following judgementships:—

- (1) In Patna from the 28th November to the end of the year;
- (2) in Chota Nagpur from the 15th January to the 12th April; and
- (3) in Muzaffarpur from the beginning of the year up to the 6th May.

The magisterial staff of the province at the close of the year consisted of 356 stipendiary and 148 honorary magistrates. Of the 356 stipendiary magistrates, 202 exercised first class, 126 second class and 28 third class powers. Of the honorary magistrates, one was a special magistrate under section 14 of the Code of Criminal Procedure.

2. *Offences reported.*—During the year, 103,504 criminal offences were reported, of which 61,858 were offences under the Indian Penal Code and 41,646 were offences under special and local laws, an increase of 1,935 or 3.2 per cent and 494 or 1.2 per cent, respectively, as compared with the figures for 1933. The number of offences reported increased in 11 districts and decreased in 9 districts. The largest increases were in Gaya (1,207 or 23.2 per cent), Singhbhum (975 or 24.5 per cent) and Puri (711 or 18.6 per cent). In Gaya, the increase was mainly in offences under the Municipal Act. The increase in Singhbhum has been ascribed partly to better detection and partly to the comparative failure of the paddy crop, the resulting shortage of agricultural work for labourers tending to increase the tendency to petty theft. In Puri, on the other hand, the increase is attributed to good crops resulting in petty litigation, the vigorous and prompt enforcement of the provisions of some of the special and local laws, and the local trial of railway cases by a Magistrate deputed for the purpose. The largest decreases were in Hazaribagh (1,003 or 19.4 per cent), Muzaffarpur (644

or 12·2 per cent) and Sambalpur (242 or 7·2 per cent). The decrease in Hazaribagh is ascribed mainly to general economic depression, the summary dismissal of a larger percentage of cases of trivial nature, the passing of deterrent sentences for offences against property, greater control exercised by the local police over the criminal tribes of Giridih, and the successful termination of a gang case in which many of their members were involved. The District Magistrate of Muzaffarpur ascribes the decrease to the preoccupation of the people with the after-effects of the earthquake of January 1934. No special reasons are given for the decrease in Sambalpur.

3. *Cases dismissed*.—Complaints were dismissed in 17,755 cases, an increase of 28 as compared with 1933. The number of cases declared to be false after trial or enquiry was 1,210 or 23 more than in 1933. These two classes together constituted 18·3 per cent of the total number of cases reported as against 18·7 per cent in 1933.

4. *Cases found to be true*.—Of the total number of cases under enquiry during the year, 77,601 were found to be true and of these, 72,113 were brought to trial, an increase of 2,410 and 747, respectively, as compared with the year 1933.

ORIGINAL JURISDICTION.

1.—Magistrates' Courts.

5. *Cases disposed of*.—At the opening of the year, 2,708 cases were pending before magistrates. During the year, 71,909 cases were brought to trial, including references under sections 347 and 349 of the Code of Criminal Procedure; 71,268 cases were disposed of, and 3,343 remained pending at its close. The number of cases brought to trial during the year exceeded the number for 1933 by 714. There was an increase in 9 districts and a decrease in 10. The increase was largest in Gaya (1,317). The most conspicuous decrease was in Muzaffarpur (822). The number of cases decided during the year was 186 in excess of the number for 1933.

Disposals were distributed as follows :—

	Tried regularly.	Tried summarily.
District Magistrates	59	2
Subordinate Stipendiary Magistrates	57,415	1,572
Honorary Magistrates... ..	10,753	26
Benches of Magistrates	1,344	...
Special Magistrates	97	...

The Deputy Commissioners of Sambalpur, Hazaribagh and Palamau tried 6, 2 and 27 cases respectively, the Additional Deputy Commissioner of Dhanbad tried 13 cases, and Deputy Magistrates in Ranchi, Hazaribagh, Manbhum, Singhbhum and the Santal Parganas tried respectively 26, 53, 46, 37 and 55 cases, in the exercise of special powers under section 30 of the Code of Criminal Procedure. Five of the cases committed to the Sessions by the Additional Deputy Commissioner of Dhanbad and the Deputy Magistrate of Purulia could legally have been tried by the Magistrates in the exercise of their special powers. In two of the cases from Purulia, the reasons for commitment given by the magistrate were found unsatisfactory.

It is satisfactory to note that the total number of cases tried by magistrates in the exercise of these special powers under section 30 of the Criminal Procedure Code was 265 as against 242 in 1933 and 201 in 1932. The more extended use of the special powers has considerably mitigated the burden upon the Sessions Judges and Assistant Sessions Judges employed in the non-regulation districts, enabling them to accomplish other work of importance, which was being crowded out or delayed.

6. *Results of trials.*—Of the total number of cases shown in the preceding paragraph, 801 were committed or referred to courts of session, while 70,467 were finally disposed of by magistrates. In the latter cases, 123,930 persons were accused as against 124,584 in the previous year; 59,565 or 48·1 per cent were convicted; and 64,365 or 51·9 per cent were acquitted or discharged. The corresponding percentages for 1933 were 49·7 and 50·3, respectively. Out of 64,365 persons acquitted or discharged, the cases of 34,797 were compounded, withdrawn or dismissed for default. In the result the percentage of convictions in the case of persons actually tried was 66·8 as compared with 66·7 in 1933. The number of persons whose cases were compounded, withdrawn or dismissed for default was largest in Darbhanga, being 3,612 out of 5,787 persons acquitted or discharged.

Of the persons tried for offences under the Penal Code, 25,530 or 32·5 per cent were convicted, and 52,942 or 67·5 per cent were acquitted or discharged. Excluding the cases of 27,849 persons which were compounded, withdrawn or dismissed for default, the percentage of conviction was 50·4 against 49·8 in the previous year.

The total number of persons awaiting trial before magistrates at the close of 1934 was 8,487 of whom 731 were in custody. The corresponding figures for 1933 were 6,812 and 660.

The general result of trials before the magistrates of each class was as follows :—

	Acquitted or discharged.	Convicted.	Percentage of convictions.
1	2	3	4
District Magistrates	62	94	60.3
Subordinate Stipendiary Magistrates	55,926	49,248	46.8
Honorary Magistrates ...	7,596	8,945	54.1
Benches of Magistrates ...	716	1,173	62.1
Special Magistrates ...	65	105	61.8

Of the persons convicted, the following were tried summarily: by District Magistrates 8, by subordinate stipendiary magistrates 2,070 and by honorary magistrates 31.

The mode of trial of the persons convicted and the nature of the sentences passed were as follows :—

	Appealable sentences.		Non-appealable sentences.	
	1933.	1934.	1933.	1934.
1	2	3	4	5
On regular trial ...	41,338	37,680	17,465	19,238
On summary trial ...	746	471	1,538	1,549

7. *Punishments.*—The sentences passed on the persons convicted (excluding 646 persons imprisoned in default of furnishing security for good behaviour and including youthful offenders sent to the Reformatory School) were as follows :—

Imprisonment	...	{ Rigorous	..	...	11,927
		{ Simple	...	...	525
Fine	...	...	...	...	46,551
Whipping	...	{	Sole punishment	...	142
			Additional punishment	..	10

Terms of solitary confinement were included in 9 of the sentences of rigorous imprisonment as compared with 6 in the previous year. Sixteen youthful offenders were sentenced to detention in the Reformatory School as against 11 in 1933.

The sentences of imprisonment passed were as follows :—

1,150 persons were sentenced to terms not exceeding 15 days; 8,913 to terms not exceeding six months; 2,856 to terms not exceeding two years and 163 to terms exceeding two years.

The fines imposed during the year amounted to Rs. 5,76,951 while the amount realised was Rs. 3,57,959 and a total sum of Rs. 55,183 was paid as compensation to complainants. The percentage of fines unrealised is still unduly great.

Security for good behaviour was required from 659 persons, of whom 646 were sentenced to terms of imprisonment not exceeding one year on failure to comply with the orders. The number of persons released on probation under section 562 of the Code of Criminal Procedure was 457.

8. *Miscellaneous proceedings under the Code of Criminal Procedure.*—There were 374 proceedings involving 2,629 persons under the provisions of Chapter VIII of the Code of Criminal Procedure, relating to the preservation of the peace, a decrease of 15 proceedings and an increase of 68 persons as compared with the year 1933. Orders to execute bonds were made in respect of 844 persons, the largest numbers being in Darbhanga (334) and Shahabad (120). Two hundred and eighty-nine persons were bound down under section 106 of the Code.

The number of persons called upon to show cause why they should not give security to be of good behaviour was 1,013 in 555 cases, and the orders were made absolute against 856. Of these,

843 failed to give the required security and were imprisoned in default, 197 after reference to courts of session under section 123 of the Code and 646 under orders of magistrates. The number of persons imprisoned in default for terms exceeding one year was 184.

Proceedings for abatement of nuisances under Chapter X of the Code were taken in 1,037 cases. The number of cases arising out of disputes over the possession of land which were decided by magistrates under Chapter XII of the Code was 646, a decrease of 107 as compared with the figure for 1933.

Under section 250 of the Code, 184 complainants were ordered to pay compensation to accused persons against 238 in the preceding year. It is regrettable that the figures have declined though year after year the court have observed that sufficient use of the section is not made in most of the districts.

Out of 474 persons against whom proceedings were taken under Chapter XXXVI of the Code 113 were ordered to give maintenance.

9. *Witnesses*.—The number of witnesses examined in the courts of magistrates was 197,297 as compared with 204,663 in 1933. The number discharged without examination was 59,750 or 23·2 per cent of the whole number in attendance, against 24·1 in the preceding year. The amount paid to witnesses for expenses rose from Rs. 1,26,903 in 1933 to Rs. 1,39,175 in 1934.

Of the total number in attendance, 162,968 (63·4 per cent) were discharged on the first day; 75,120 (29·2 per cent) on the second day; 16,417 (6·4 per cent) on the third day and 2,542 (1 per cent) after the third day. The corresponding percentages in 1933 were 65·3, 28·2, 5·5 and 1, respectively.

There was an increase in seven districts and a decrease in eleven in the number of witnesses detained for more than three days, the largest increase being in Monghyr (150). The number of such detentions was again greatest in Bhagalpur (376); Monghyr (344) and Darbhanga (237) following next in unsatisfactory figures. 71 per cent of the detentions in Bhagalpur occurred in the Madhipura and Supaul subdivisions and are ascribed mainly to floods: other reasons given are illness of magistrates and lengthy cross-examination in hotly contested cases.

From the other districts at fault come the usual excuses including lengthy examination and cross-examination of witnesses in keenly contested cases, absence of the accused or the prosecuting officer, absence of the trying magistrate due to illness and

relief work in connection with earthquake and flood, filing of petitions by the accused for transfer or withdrawal of cases and pressure of other work. The observation of the Court, repeated year after year that the number of witnesses detained after the second or third day could be reduced if more attention were given to methodical arrangement of cases and to fixing of dates for the attendance of witnesses, has, the Court note with regret, produced no improvement.

II.—Courts of Session.

10. *Commitment and trial.*—The number of cases committed for trial or referred during the year was 801, and the number tried, including the pending cases of the previous year, 745. These figures show an increase of 69 and a decrease of 51 respectively, as compared with the year 1933. There were 209 cases pending at the close of the year.

Of the 745 cases tried, 434 were tried by Sessions Judges and Additional Sessions Judges and 311 by Assistant Sessions Judges. The largest decreases in trials compared with the previous year were in the districts of Gaya (64 to 33), Darbhanga (37 to 18) and Balasore (23 to 7). Sessions Judges and Additional Sessions Judges spent approximately 2,499 days and Assistant Sessions Judges 1,098 days on criminal work against 2,561 and 1,396 days, respectively, during the previous year. A District and Sessions Judge (including an Additional District and Sessions Judge) worked on the average for 241·4 days during the year out of which he devoted 163·9 days (or 67·9 per cent of his time against 66·6 per cent in 1933) to criminal work, while the average number of working days of a Subordinate Judge having the powers of an Assistant Sessions Judge was 237·5 days out of which he spent 91·5 days (or 38·5 per cent of his time against 49 per cent in 1933) on criminal work. The largest numbers of days spent on criminal work by Sessions Judges and Additional Sessions Judges were in the sessions divisions of Patna (436), Muzaffarpur-Champaran (263) and Shahabad (255), and by Assistant Sessions Judges in Muzaffarpur-Champaran (202), Patna (166) and Bhagalpur (161). Assistant Sessions Judges held 41·7 per cent of the sessions trials as compared with 44·6 per cent in 1933. The maximum number of twelve Assistant Sessions Judges was as usual employed during the year.

Commitments, including references, increased in 11 districts and decreased in 8 districts. The maximum decrease was at Ranchi (57 to 27) and the largest increases were in the districts of Patna (from 60 to 97), Saran (from 74 to 100) and Purnea (from 57 to 78). In Patna the increase is in part due to 17

references having been made during the year while there was no case of reference in 1933. In Saran the increase is mainly in regard to three classes of cases, namely, dacoity, perjury and forgery or using forged documents. In Purnea the number of commitments during the year was the highest for the last 20 years. The Sessions Judge is unable to assign any particular reason for the unusually large number of commitments and thinks that the increase is perhaps due to a gradual relaxation of control in the submission of charge sheets and to slackness in the matter of inquiries held by magistrates.

11. *Results of trials.*—The number of persons under trial before the courts of session during the year was 3,275, being 54 less than in the year 1933. The cases of 2,485 persons were decided, and 778 remained under trial at the close of the year. Twelve persons died or escaped during the year. Of the persons tried, 1,326 or 53·4 per cent against 1,589 or 47·7 per cent in 1933 were convicted, 1,020 were acquitted or discharged, while the cases of 139 persons were referred to the High Court under sections 307 and 374 of the Code of Criminal Procedure. The lowest percentage of conviction of persons tried was in the district of Palamau (22·2), the next lowest in Singhbhum (26·7), a result probably due to the exercise of powers under section 30 in the less heinous cases.

12. *Punishments.*—The following sentences were imposed by the courts of session during the year :—

Death	...	...	...	58
Transportation	...	{	For life...	85
			For a term of years ...	6
Imprisonment	...	{	Rigorous	1,018
			Simple ...	1
Fine	...	...	...	148
Whipping	...	...	...	10

In addition to the above, 197 persons were sentenced to rigorous or simple imprisonment (for terms not exceeding three years), on failure to furnish security for good behaviour. Sentence of solitary confinement was passed during the year on 24 persons.

One hundred and forty of the sentences of fine and the sentences of whipping were additional punishments. The sentences of imprisonment were for the following terms :—

Not exceeding	...	{	Fifteen days	..	4
			Six months	..	74
			Two years	..	250
			Seven years	...	794
Exceeding seven years	..	..	..	93	

Fines to the amount of Rs. 22,395 were imposed by courts of session, as compared with Rs. 58,061 in the preceding year. The total amount realized for the year amounted to Rs. 5,478 as compared with Rs. 4,050 in 1933. Rupees 1,265 were awarded to complainants as compensation out of the fines realized.

Regarding the experiment tried in Purnea of sentencing persons convicted of dacoity to whipping in conjunction with short terms of imprisonment, which was mentioned in the reports for 1932 and 1933, the Sessions Judge of Purnea is against continuance of the experiment, which was tried in only two cases during the year under report. The Executive authorities of Purnea, however, are of opinion that sufficient time has not yet elapsed to gauge its effect.

13. *Jury trials*.—There was no change in the system of trial by jury which, as before, prevailed in the district of Patna for offences under Chapters VIII, XI, XVI, XVII, XVIII and XX of the Indian Penal Code and in the districts of Bhagalpur, Muzaffarpur, Saran, Darbhanga, Shahabad, Gaya, Manbhum, Cuttack and Monghyr for offences under sections 363-369, 372, 373, 376, 379-382, 392-395, 397-399, 401, 403, 404, 411-414, 426-432, 434-436, 440, 448, 450-462 and 493-493 of the Indian Penal Code, and for abetments of, and attempts to commit, such offences. The number of persons tried by jury during 1934 was 826, and the verdict of the jury was accepted in respect of 738 persons. In respect of 88 persons references were made to the High Court under section 307 of the Code of Criminal Procedure.

In Patna 70 cases were tried with the aid of jurors. In 46 cases the jury returned a verdict of guilty and of not guilty in 24 cases. In 13 cases the presiding judge considered it necessary to make a reference to the High Court under section 307 of the Code of Criminal Procedure. Of these 13 references, 11 were decided during the year and 2 remained pending. Of the 11 cases decided three were referred by the Sessions Judge, 2 by the Additional Sessions Judge and 6 by the Assistant Sessions Judge. Two references made by the Sessions Judge against verdicts of 'not guilty' on charges of murder were accepted in part and in one of these cases two persons were sentenced to death. The third reference, in respect of a verdict of 'guilty' of murder, in which the Sessions Judge expressed the opinion that the accused were merely guilty under section 326/149, Indian Penal Code, was not accepted and all the 19 accused were transported for life. The two references made by the Additional Sessions Judge were both against verdicts of 'not guilty'. One was

accepted and the accused was sentenced to death while the other, a case of arson, was not accepted. Of the six references made by the Assistant Sessions Judge, five were against verdicts of 'not guilty' of which two were accepted and two rejected and one resulted in an order for retrial, while the remaining reference, against a verdict of 'guilty', was accepted and the accused were acquitted.

As regards the merits and demerits of the system, in its application to the conditions in this Province, the majority of the opinions expressed are adverse. The officer who was Sessions Judge of Patna almost throughout the year expresses himself as follows:—"I still adhere to my opinion about the Patna jury as expressed by me in the annual administration report last year, although this year I succeeded in obtaining correct verdicts in two or three murder cases. In the majority of cases, however, the jurymen do not follow evidence and betray a lamentable lack of perception. Generally their verdict is perverse, and sometimes inconsistent also. The result of the jury trials in this district is far from satisfactory". In Darbhanga there were seven trials with the aid of a jury during the year. Three of these ended in conviction and four in acquittal. No reference was made to the High Court in any of these cases. The Sessions Judge, however, still adheres to the opinion expressed by him last year that the jurors are usually men of poor education who take little interest in the proceedings and that in cases of a communal nature their verdicts are always open to suspicion. The Sessions Judge of Gaya reports that the verdict of the jury in the two cases tried by him during the year was an honest one though in one case he thought that the verdict was mistaken. The average jurymen available at Gaya, he says, is capable of following only the most simple cases and is apt to attach too much importance to petty discrepancies. The Sessions Judge of Saran says that the system of trial by jury has been satisfactory in cases where the number of accused is small and the issues simple. In cases where a large number of accused is involved and the issues are difficult, the jurors become muddled and there is an inclination on their part to shirk decision by returning a verdict of guilty or of acquittal against all. In cases of dacoity the impression of the Sessions Judge is that the jurors returned doubtful verdicts in some cases and were probably influenced by fear of increasing dacoities in the district. The Sessions Judge of Cuttack reports that in the two cases tried by him with a jury, the verdicts were not accepted and references were made to the High Court under section 307 of the Code of Criminal Procedure on the ground that the verdicts were clearly

perverse and against the weight of evidence. The references were accepted by the High Court. The Sessions Judges of Shahabad and Bhagalpur report that the jury system worked fairly satisfactorily during the year. But in one case in Bhagalpur the Sessions Judge considers that the earthquake of January 1934 may have affected the ability of the jury to deal dispassionately with the evidence. The jury returned an unanimous verdict of acquittal in that case against which the Sessions Judge's reference under section 307 of the Code of Criminal Procedure was accepted by the High Court. The Sessions Judges of Monghyr, Muzaffarpur and Manbhum have not expressed any opinion on the working of the jury system as they did not try any jury case in the year under report.

14. *Trial by assessors.*—The number of persons tried with the aid of assessors was 1,459. In the cases of 759 persons, the Sessions Judge agreed with the opinion of the assessors; in the cases of 487 persons he differed from the opinion of one or more but not from the opinion of all, and in the cases of 213 persons he differed from their unanimous opinion. The corresponding figures for 1933 were 1,884, 968, 681 and 235.

15. *Duration of cases.*—The average duration of sessions trials from date of commitment to date of decision was 60·9 days against 74 days in 1933. The duration of cases was especially long in the districts of Sambalpur (104·3 days), Singhbhum (98·7 days) and Darbhanga (98 days). The long duration in Sambalpur was due to two sessions cases having had to be adjourned, one from July sessions to September sessions and another from September sessions to December sessions, on the application of the Public Prosecutor. In Singhbhum the long duration was due to the fact that three cases committed in October and November, 1933, could not be taken up earlier than March, 1934, owing to heavy Purulia sessions in December, 1933 and January, 1934, and part of February, 1934. In Darbhanga the average duration, although high, was less than that of the previous year. As compared with the year 1933, there was a decrease in the duration of cases in eleven districts and an increase in seven. The largest increases were in Sambalpur (from 64 to 104·3 days), Singhbhum (from 66·3 to 98·7 days) and Hazaribagh (from 55·1 to 77 days). The rise in duration in Sambalpur and Singhbhum has been explained above. The increase in Hazaribagh was due to the fact that after receipt of the commitment order in a big gang case, the local Government had to be moved for the appointment of an Additional Judicial Commissioner for the trial of the case which lasted for about three months.

Notice was, as usual, taken by the High Court of cases of unusual delay in commitment, particularly of cases in which more than two months intervened between apprehension and commitment. There were 198 such cases during the year, the numbers being largest in Purnea (30), Patna (29) and Champaran (28). In 18 cases the explanations submitted by the officers concerned were considered by the High Court unsatisfactory. The number of unsatisfactory explanations was largest in Purnea (6) and Patna (4).

16. *Witnesses.*—The number of witnesses in attendance before the courts of session was 15,946. Of these, 12,322 were examined and 3,624 were discharged without examination. In 1933 the corresponding figures were 16,849, 12,550 and 4,299. Of the total number in attendance, 10,635 (66·7 per cent) were discharged on the first day, 3,309 (20·8 per cent) on the second day, 1,175 (7·3 per cent) on the third day and 827 (5·2 per cent) after the third day. The percentages for the previous year were 58·5, 24·3, 9 and 8·2 respectively. The largest numbers of witnesses in attendance over three days were in the districts of Patna (222), Bhagalpur (132) and Purnea (115). No reason has been given for the long detentions in Bhagalpur, presumably as the percentage of such detentions was much less in 1934 than in 1933. The long detentions in Patna and Purnea are said to have occurred in contested trials in which there was protracted cross-examination.

The amount paid to witnesses on account of expenses incurred in attending sessions trials was Rs. 38,734 as compared with Rs. 37,528 in 1933. The largest increases occurred in the districts of Bhagalpur, Hazaribagh and Purnea where the amounts rose from Rs. 2,950 to Rs. 5,820, from Rs. 94 to Rs. 2,284 and from Rs. 2,630 to Rs. 4,300 respectively, owing to an increase of 620, 316 and 198 respectively, in the number of witnesses attending the Courts in these districts as compared with the figures for 1933. In Hazaribagh some of the witnesses in a gang case came from long distances and in Bhagalpur some witnesses were pleaders coming from Madhipura.

APPELLATE JURISDICTION.

I.—High Court.

17. At the end of 1933, 52 appeals were pending before the High Court (including the Circuit Court at Cuttack) from the sentences or orders of criminal courts. During the year, 356 appeals were preferred, 374 appeals were decided and one was withdrawn: at its close 33 remained pending.

Of the appeals preferred, 281 were against sentences passed by courts of session, 55 were against sentences passed by magistrates acting under section 34 of the Code of Criminal Procedure and 8 were under section 476-B of the Code of Criminal Procedure. In addition, there were 12 appeals by the local Government against orders of acquittal.

18. *Results of appeals.*—The orders of the lower courts were upheld in 267 out of 374 appeals decided, reversed in 42 and modified in 55. In 4 cases a new trial was ordered and in 6 cases the sentence was enhanced.

Of the persons concerned, the appeals of 479 were summarily dismissed under section 421 of the Code of Criminal Procedure; in admitted appeals, the sentences on 281 appellants were confirmed, on 63 reduced or altered, on 139 annulled and on 16 enhanced. In respect of 16 appellants a new trial was ordered. The percentage of appellants who were entirely unsuccessful was 78·1 against 79·5 in 1933.

II.—Appellate Courts subordinate to the High Court.

19. *Sessions Courts.*—There were 261 appeals pending before the courts of session at the beginning of the year and during the year 2,920 appeals were preferred. The number decided during the year was 2,908 and 273 were pending at its close. Appeals preferred numbered 342 less than in 1933. There was an increase in three sessions divisions and a decrease in nine; the largest increase being in the sessions division of Purnea (52) and the largest decrease was in Chota Nagpur (108).

The number of persons concerned in the appeals decided by Sessions Judges during the year was 5,577 of whom 3,375 or 60·5 per cent failed completely. The appeals of 1,392 or 25 per cent were summarily dismissed. Of those whose appeals were admitted 1,933 or 47·4 per cent were altogether unsuccessful; 898 or 21·5 per cent obtained a reduction or alteration of sentence; 1,210 or 28·9 per cent were acquitted; in the cases of 93 or 2·2 per cent a new trial or further enquiry was ordered and the case of one was referred to the High Court.

20. *Magistrates' Courts.*—In the courts of magistrates there were 189 appeals pending at the beginning of the year. During the year 2,197 appeals were preferred. The number decided was 2,225 and 161 remained pending at the close of the year. Appeals preferred numbered 247 less than in 1933.

The number of persons whose appeals were decided by courts of magistrates was 5,231. The appeals of 973 (or 18·6 per cent) were summarily dismissed; the sentences on 2,031

(or 47·7 per cent) of those whose appeals were admitted, were confirmed so that 3,004 appellants, or 57·4 per cent, were wholly unsuccessful. Of the remainder, 770 appellants, or 14·7 per cent, obtained a modification of the sentences passed on them and 1,381 or 26·4 per cent were acquitted. In the cases of 75 appellants, or 1·4 per cent, a new trial or further inquiry was ordered and the case of one was referred to the High Court.

SUPERINTENDENCE, REFERENCE AND REVISION.

I.—High Court.

21. *Reference under section 307 of the Code of Criminal Procedure.*—Five references, involving 5 persons, were pending from the previous year and 24 references, involving 88 persons, were made to the High Court during the year, under section 307 of the Code of Criminal Procedure. Of these, 27, involving 88 persons, were tried. Of the 88 persons concerned, 18 were acquitted, and 57 convicted of whom 4 were sentenced to death, 23 to transportation for life, 29 were sentenced to various terms of rigorous imprisonment ranging from ten years to 3 months, in respect of one fine was imposed in addition to imprisonment, and on one whipping was inflicted. One case of 13 persons was remanded for retrial.

22. *Reference under section 374 of the Code of Criminal Procedure.*—Thirty-seven references under section 374 of the Code of Criminal Procedure, for confirmation of sentence of death, were made to the High Court during the year, and six were pending from the previous year. Thirty-seven references were decided during the year. Out of 60 persons concerned in these references the death sentence on 32 persons was confirmed, in the case of 5 persons the sentence was commuted to transportation for life, 2 persons were sentenced to 10 years', one to 7 years', one to 5 years' and 4 to 4 years' rigorous imprisonment and 15 were acquitted.

23. *Reference under section 341 of the Code of Criminal Procedure.*—No reference under section 341 of the Code of Criminal Procedure was received or disposed of during the year.

24. *Reference under section 215 of the Code of Criminal Procedure.*—No reference under section 215 of the Code of Criminal Procedure was received or disposed of during the year.

25. *Revision.*—During the year, 71 cases were reported for the orders of the High Court by Sessions Judges and District Magistrates under section 438 of the Code of Criminal Procedure, an increase of 19 as compared with 1933, and 5 were pending at the opening of the year. Of these, 64 were decided and 12 remained pending. In 21 cases the orders sent up for revision were set aside and in 10 a new trial was ordered. Sentences were reduced or altered in 9 cases and enhanced in 2. The proceedings were quashed in one case while in the remaining 21 cases the High Court declined to interfere.

Orders were passed under section 435 of the Code of Criminal Procedure in 660 cases, a decrease of 23 compared with the previous year, and 24 remained pending. All these cases came before the High Court on application made to it except two cases in which the High Court on a perusal of the sessions statement, called for the records. Of the applications for issue of notice, 401 were rejected and notice was issued in 259 or 39·2 per cent of the cases. Of these notices, 105 were finally discharged; 54 were made absolute in their entirety; the orders complained of were modified in 81 cases; in 18 cases a new trial or further inquiry was ordered and in 1 case the sentence was enhanced. The percentage of interference with the orders of the lower courts was 59·5 on the number of notices issued and 23·3 on the total number of applications disposed of. The following table shows for comparison the figures of the preceding year :—

Applications rejected	...	...	429
Applications returned	...	...	2
Notices issued	...	...	286
Discharged	...	...	105
Made absolute	...	...	61
Modified	...	...	55
New trial or further enquiry	...	...	27
Sentence enhanced	...	...	2
Proceedings quashed	...	...	2
Pending	...	...	34

26. *Applications for transfer.*—Thirty-seven applications under section 526 of the Code of Criminal Procedure for transfer of cases from one court or district to another were made during the year, and one was pending at the opening of the year. Thirty-six were dealt with, of which 12 were summarily rejected and two remained pending. In 24 cases notices were issued with the result that transfers were granted in 12 cases and

refused in 12 cases. In the preceding year there were 36 applications in 24 of which notices were issued, of which 16 were granted and eight refused.

II.—Courts subordinate to the High Court.

27. *Sessions Courts*.—The cases of 3,733 persons were disposed of in revision by courts of session during the year. These include the cases both of accused persons who themselves applied for revision of the orders passed in the courts of magistrates and the cases of accused persons against whom such applications were made by complainants. The number was 567 less than in 1933. The applications of 1,784 persons were rejected, and as regards 1,044 the orders of the lower courts were confirmed. Orders passed in the cases of three persons were reversed. In the cases of 721 persons new trials or further inquiries were directed, and the cases of 161 persons were referred to the High Court, while the proceedings in respect of 20 persons were quashed.

28. *Magistrates' Courts*.—The cases of 1,941 accused persons who applied for revision, or against whom applications were made by complainants, came before District Magistrates. The number was 470 more than in 1933. The applications of 637 persons were rejected, and in the cases of 651 persons the original sentence or order was upheld. Sentences were reduced or orders otherwise altered in the cases of 21 persons and reversed in the cases of 136 persons. In the cases of 138 persons, a new trial or further inquiry was directed and in the cases of 333 persons the proceedings were quashed. The cases of 25 persons were referred to the High Court.

GENERAL.

29. *Trial of European British subjects*.—The cases of 10 European British subjects were disposed of during the year by Magistrates as against 20 in the preceding year. Of the accused persons, 6 were convicted, three were acquitted or discharged and one who was committed to the Court of Session was also acquitted. All the convictions were for offences under the Indian Motor Vehicles Act, 1914.

30. *Proposals for legislation*.—The Sessions Judge of Monghyr suggests that an offence under section 436 of the Indian Penal Code should also be made triable by a Magistrate with first class powers. At present, he says, petty riot cases, involving the often false allegation of the destruction by fire of a hut of trifling value, have to be committed to the Court of Session.

88 The Sessions Judge also suggests that the Sessions Court should have power to refer a case to the Magistrate for trial, if the commitment appears to have been unjustified, under sections under which offences are triable by the Magistrate himself. These suggestions were made by the same officer in 1929, while he was Sessions Judge of Muzaffarpur and were incorporated in paragraph 30 of the Court's report for the year 1929.

31. *Panchayat Courts.*—There were 117 panchayat courts in the province during the year as against 118 during 1933. Ninety-four of these courts were in the district of Muzaffarpur. The District Magistrate of Muzaffarpur being new to the district has not offered any opinion as to the extent to which the work of these courts has affected the work of the regular courts under the control of the High Court, but the returns show that a large number of cases (2,063) was disposed of by the panchayat courts of the district. The other districts in which there were panchayat courts were Saran (8), Darbhanga (6), Patna (3), Gaya (3), Purnea (2) and Bhagalpur (1). The District Magistrates of Saran and Purnea report that these courts were of little help to the magistracy. The District Magistrate of Darbhanga says that the panchayat courts in the Sadr and Samastipur subdivisions have done useful work while the establishment of these courts in the Madhubani subdivision has not relieved the regular courts to any appreciable extent. The District Magistrate of Patna has again said that the panchayat courts afforded some relief to the ordinary courts at Sadr and Barh but not at Bihar. The number of cases (90) decided by the panchayat courts in the district of Patna was, however, small and the relief, if any, afforded to the ordinary courts must have been inconsiderable. In Gaya two out of the three courts did not afford any relief to the ordinary courts, while no opinion has been expressed regarding the third court, which has recently been reconstituted.

32. *Receipts.*—Receipts aggregated Rs. 8,74,676. Of this amount, Rs. 3,53,683 were fines, Rs. 94,275 process-fees, Rs. 1,35,281 copying and comparing fees, Rs. 2,58,442 court-fee stamp receipts other than the above and Rs. 32,995 miscellaneous receipts.

33. *Prosecution of cases instituted by or under the orders of a Court.*—During the year, 767 cases were instituted on the complaints of courts and 4 were pending at the opening of the year. 461 of these cases ended in conviction and 214 in acquittal, 7 cases were withdrawn and 89 remained pending. The reports received from the various districts show that the instructions

issued by the Court in May, 1933, are now being followed and that generally the prosecution is satisfactorily conducted. The proportion of acquittals is still large in some of the districts, for example, Palamau (4 out of 6), Monghyr (13 out of 26), Hazaribagh (28 out of 64), and Singhbhum (8 out of 13), but this is attributed by the District Officers to reasons other than inefficiency in the conduct of the prosecution. In many such cases the witnesses are gained over. In Saran it is reported that such cases are still filed without sufficient previous examination of the evidence by the Court concerned.

34. *Effect of the earthquake on the administration of criminal justice in the subordinate courts.*—During the year under report occurred the great Bihar Earthquake of January 15th, 1934. Despite the great damage done in some districts it is generally reported that the effect on the work of the criminal courts was slight or insignificant. Though for some time the Courts had to work under very adverse conditions, regular work was everywhere resumed within a few days, except in Monghyr Sadr where it is reported work did not proceed normally until 1st February. In Darbhanga a candidate peon and two litigants were killed. At Motihari 4 undertrial prisoners escaped in the confusion. One undertrial prisoner escaped in the Bihar subdivision of the Patna district. All five were subsequently recaptured.

It is reported from most districts that the earthquake had no appreciable effect upon institutions and disposals. The earthquake led to a decrease in criminal cases instituted in the Sadr subdivision of Monghyr during the first quarter owing to the extensive damage to the town. In Saran a slight decrease is attributed to the earthquake and floods. There was a fall in institutions and disposals during the first quarter in Muzaffarpur and Patna. The Sessions Judge of Muzaffarpur, however, considers that the earthquake had little bearing on the fluctuations in the number of criminal cases. In Muzaffarpur an increase in the duration of sessions cases is put down to the earthquake, and in Darbhanga a slight decrease in disposals is similarly attributed to that cause.

By order of the High Court,

H. R. MEREDITH,

Registrar.

by the Court in May 1933, are now being followed and
 generally the proportion of the total population
 of the district is still large for some of the districts
 of the Province (18 out of 23), (18 out of 23), (18 out of 23),
 (18 out of 23), and (18 out of 23). This is
 stated by the District Officer in various places in the
 report in the context of the proposition. It may be noted
 that the figures are given over. In some it is reported that such
 figures are still high without sufficient previous examination of
 the cases by the Court.

The effect of the earthquake on the administration of criminal
 justice in the various districts is stated in the report
 under the heading "The effect of the earthquake on the
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It is reported from most districts that the earthquake had no
 effect on the number of criminal cases reported during the
 first quarter ending 31st March 1934. It is stated that
 the number of criminal cases reported during the first
 quarter ending 31st March 1934 is stated in the report
 under the heading "The number of criminal cases reported
 during the first quarter ending 31st March 1934". It is
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 quarter ending 31st March 1934 is stated in the report
 under the heading "The number of criminal cases reported
 during the first quarter ending 31st March 1934".

By order of the High Court,

H. M. MERRITT,

Registrar.

**IMPERIAL STATEMENTS (CRIMINAL),^o
BIHAR AND ORISSA, 1934.**

IMPERIAL STATEMENTS (CRIMINALS)
BIHAR AND ORISSA, 1934.

1934.

BIHAR AND ORISSA.

Table No. I.—Criminal (Government of India Table No. 25).

Number of Judicial Divisions and number of officers exercising appellate or original jurisdiction in the province of Bihar and Orissa on the 31st December, 1934.

Province.	Judges of the Chief Court of Province.	Number of Sessions Divisions.	Number of districts.	Sessions Judges.	Other Judges.	District Magistrates.	Other Magistrates.		Number of Panchayat courts.
							Stipendiary.	Honorary.	
1	2	3	4	5	6	7	8	9	10
Bihar and Orissa.	10	1	Patna ...	3	1	2	23	21	3
		1	Gaya ...	1	1	1	16	21	3
		1	Shahabad ...	2	1	1	19	14	...
		1	Saran ...	1	1	1	20	12	8
		1	{ Champaran ... Muzaffarpur ... }	2	1	1	11	2	...
		1	Darbhanga ...	1	1	1	29	13	6
		1	Monghyr ...	1	1	1	18	18	...
		1	{ Bhagalpur ... Santal Parganas... }	1	1	1	21	13	1
		1	Parnea ...	1	A(1)	...	...	...	2
		1	{ Cuttack ... Balasore ... Puri ... }	1	1	1	15	6	...
		1	{ Hazaribagh ... Ranchi ... Palamau ... }	1	A(2)	1	1(b)+18	8	...
		1	{ Manbhum ... Singhbhum ... Sambalpur ... }	1	A(2)	2	23	6	...
		1	{ Ranchi ... Palamau ... }	1	A(1)	1	3(b)+22	7	...
		1	{ Sambalpur ... }	1	A(2)	1	1(b)+10	1	...
		1	{ Manbhum ... Singhbhum ... Sambalpur ... }	1	A(2)	1	3(b)+13	...	...
		1	{ Sambalpur ... }	1	A(1)	1	4(b)+10	4	...
		Total	10	12	20	(a)16	(d)22	21	(b) 335	(e)178	117

A.—Magistrates exercising powers under section 30, Criminal Procedure Code.
 (a) All do both civil and criminal work.
 (b) 12 ditto ditto ditto ditto.
 (c) 12 ditto ditto ditto ditto.
 (d) 12 ditto ditto ditto ditto.
 (e) Includes 30 Benches of Magistrates.

1934.

BIHAR AND ORISSA.

Table No. II.—Criminal (Government of India Table No. 26).

Number of cases decided in the criminal courts during the year 1934.

Divisions.	Districts.	Number of cases decided.					
		Criminal,					
		Original,		Appellate.			
		Regular.	Miscellaneous.	Regular.	Miscellaneous.		
1	2	3	4	5	6		
Patna.	Patna	...	...	9,215	289	550	217
	Gaya	...	...	5,413	198	390	105
	Shahabad	...	...	3,697	323	438	167
Tirhut.	Saran	...	...	5,006	364	391	100
	Champanan	...	...	2,833	137	217	55
	Muzaffarpur	...	...	3,480	238	314	85
	Darbhanga	...	...	3,911	138	336	125
Bhagalpur.	Monghyr	...	...	3,802	166	302	155
	Bhagalpur	...	...	2,742	264	268	131
	Purnea	...	...	2,680	168	232	108
	Santal Parganas	...	...	21	2	...	...
Orissa.	Cuttack	...	...	3,128	90	238	87
	Balasore	...	...	1,105	63	167	26
	Puri	...	...	1,999	98	114	42
	Sambalpur	...	...	2,248	174	113	42
Chota Nagpur.	Hazaribagh	...	...	2,552	309	157	52
	Ranchi	...	...	2,948	131	320	66
	Palamau	...	...	1,342	114	100	28
	Manbhum	...	...	7,738	253	329	60
	Singhbhum	...	...	3,563	144	157	40
Total	...	...	70,413	3,713	5,133	1,691	

1934.

BIHAR AND ORISSA.

Table No. III.—Criminal (Government of India Table No. 33).

General results of trials of criminal cases.

Class of Tribunals.	Number of offenses reported.	Number of persons under trial.	Persons whose cases were disposed of—					Persons remaining under trial at the end of the year.		
			Discharged or acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred to another province.				
1	2	3	4	5	6	7	8			
I.—MAGISTRATES.										
Subordinate Magistrates.	Special Magistrates under section 14 ...	...	390	65	105	117	...	103	
	Honorary Magistrates sitting singly.	{ 2nd and 3rd class	16,755	7,015	8,644	1	4	1,061	
		{ 1st class	1,022	581	301	27	3	110	
	Stipendiary Magistrates sitting singly.	{ 2nd and 3rd class	35,502	16,769	16,232	27	28	2,468	
		{ 1st class	{ Under ordinary powers.	...	78,935	39,025	32,797	2,471	75	4,537
			{ Under special powers under section 34	...	399	132	219	...	2	46
	Benches of Magistrates ...	...	2,010	716	1,173	2	2	117	
District and Divisional Magistrates—Cases referred under sections 347, 349.	...	22	2	20	...	...	...
Chief Magistrates of districts.	{ Under ordinary powers ...	...	65	23	37	...	...	5
	{ Under special powers under section 34.	...	74	37	57	...	...	...
Total ...	...	135,174	64,385	59,165	2,645	113	8,437		
II.—COURTS OF SESSION.										
Assistant Judges ...	...	...	1,272	377	562	33	3	267
Judges and additional Judges ...	...	...	2,003	643	764	106	9	451
Total ...	...	...	3,275	1,020	1,326	139	12	718
III.—SUPERIOR COURTS OF GENERAL JURISDICTION.										
High Court.	Cases under section 526, Cr. P. C. ...	...	...	...	...	...	...	...
	Cases committed by the Presidency Magistrates.	...	...	...	...	...	...	...
	Cases committed under section 447, sub-section 2, Cr. P. C.	...	...	...	...	...	...	...
	Cases referred by Sessions Judges under section 307, Cr. P. C.	...	(b)93	18	57	...	...	5
	Cases referred by Sessions Judges under section 374, Cr. P. C.	...	67	15	45	...	...	7
Total ...	...	...	180	83	102	...	...	13

1934.

BIHAR AND ORISSA.

Table No. IV.—Criminal (Government of India Table No. 34).

General results of appeals and revisions in criminal cases.

Class of Tribunal.		Number of persons.								
		Number of appellants and applicants for revision before the courts.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence altered.	Sentence reversed.	Otherwise disposed of.	Died, escaped or transferred to another province.	Pending trial.	
1	2	3	4	5	6	7	8	9		
APPEALS.										
To	From									
District Magistrates ...	Subordinate Magistrates.	6,128	973	2,031	770	1,361	76	...	897	
Courts of Session	Magistrates	6,045	1,350	1,870	£83	1,178	94	7	663	
	Assistant Judges	220	42	113	15	32	...	1	17	
Superior Courts	By persons convicted.	Section 476, Cr. P. C. Magistrates acting under section 34, Cr. P. C.	20	11	4	2	1	1	...	1
		Sessions Judges	150	66	39	8	17	3	...	17
	By Government from judgments of acquittal, section 417.	All Courts.	882	402	230	69	107	9	...	65
			*34	...	8	...	14	3	...	7
Total	...	13,470	2,844	4,295	1,747	2,730	186	8	1,667	
REVISION.										
By	Order of									
District Magistrates	Subordinate Magistrates.	1,032	637	651	21	136	496	...	521	
Courts of Session	Magistrates	1,419	1,784	1,044	..	3	902	...	312	
High Court (cases referred for orders under sections 432, 433).	Magistrates and Sessions Judges.	...	183	...	44	37	37	30	...	35
		Magistrates ...	789	477	173	53	88	26	...	52
High Court (cases dealt with under section 435).	Courts of Session.	of	1,355	779	250	137	142	25	...	22
		Total	...	(a) 4,778	3,677	2,102	248	406	1,479	...	922

1934. BIHAR AND ORISSA.

Table No. V.—Criminal (Government of India Table No. 35).

*Nature of offences reported and number of persons tried,
convicted and acquitted.*

Description of offences.	Number of cases.			Number of persons.						Remarks.
	Offences reported.	Returned as true.	Brought to trial.	Under trial including pending from previous years.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.		
1	2	3	4	5	6	7	8	9	10	
Against the State	6	6	6	46	7	29	...	10		
Relating to the Army and Navy ... ..	...	...	...	...	...	...	...	...
Against the public tranquillity	3,257	1,732	1,755	11,110	3,521	6,370	18	1,301		
By or relating to public servants	55	46	47	88	22	62	...	4		
Contempts of the lawful authority of public servants.	1,405	1,276	1,321	2,345	878	1,286	8	174		
False evidence and offences against public justice.	650	539	581	869	374	359	4	132		
Relating to coin	26	20	23	33	5	24	1	3		
Relating to Government stamps	3	1	1	1	...	1	...	...
Relating to weights and measures	110	104	106	130	32	95	...	3		
Affecting the public health, safety, convenience, decency and morals.	650	538	503	751	167	546	2	38		
Relating to religion	27	12	16	80	40	31	...	...
AFFECTING THE HUMAN BODY.										
Affecting life	755	643	557	1,652	657	611	8	376		
Causing miscarriage, injuries to unborn children, exposure of infants and concealment of birth.	67	60	43	70	35	30	...	5		
Hurt	14,636	9,332	9,516	23,524	18,537	3,231	16	1,741		
Wrongful restraint and wrongful confinement.	726	409	406	1,191	932	177	3	79		
Criminal force and assault	6,483	3,005	3,110	6,747	5,211	1,107	...	429		
Kidnapping, forcible abduction, slavery and forced labour.	291	170	168	480	284	127	...	69		
Rape	105	86	71	115	43	55	1	16		
Unnatural offence	31	24	22	30	4	22	...	4		
AGAINST PROPERTY.										
Theft	11,004	8,950	5,595	13,584	6,619	5,679	10	1,276		
Extortion	219	94	104	251	188	33	...	30		
Robbery and dacoity	512	423	340	1,748	592	743	4	407		

1934.

BIHAR AND ORISSA.

Table No. V.—Criminal (Government of India
Table No. 35)—concl'd.Nature of offences reported and number of persons tried,
convicted and acquitted—concl'd.

Description of offences.	Number of cases.			Number of persons.						Remarks.
	Offences reported.	Returned as true.	Brought to trial.	Under trial, includ- ing pending from previous years.	Acquitted or dis- charged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.		
1	2	3	4	5	6	7	8	9	10	
AGAINST PROPERTY—concl'd.										
Criminal misappropriation ...	229	144	154	238	180	45	...	13		
Criminal breach of trust ...	846	489	473	643	374	185	4	60		
Receiving stolen property ...	993	905	867	1,518	464	954	2	98		
Cheating ...	1,470	834	823	1,396	944	308	5	139		
Fraudulent deeds and disposition of property.	172	88	95	221	144	53	...	24		
Mischief ...	4,782	2,305	2,372	6,320	4,806	876	3	575		
Criminal trespass ...	8,710	6,808	3,011	7,139	4,393	2,006	8	732		
Relating to documents and trade or property marks.	117	89	96	201	76	60	...	65		
Criminal breach of contracts of service.	7	5	5	6	6	...	...	...
Relating to marriage ...	1,777	964	1,059	2,353	2,007	176	...	170		
Defamation ...	836	119	190	382	298	67	...	17		
Criminal intimidation, insult and annoyance.	1,501	597	639	1,287	1,033	183	...	71		
Total of offences under the Penal Code,	61,858	40,817	34,102	86,547	52,942	25,830	96	7,979		
Total of offences under Local and Special Laws,	41,646	36,784	38,011	49,251	12,473	35,451	28	1,299		
Grand Total ...	103,504	77,601	72,113	1,35,798	65,415	60,981	124	9,278		

**PROVINCIAL STATEMENTS (CRIMINAL),
BIHAR AND ORISSA, 1934.**

PROVINCIAL STATEMENTS (CRIMINAL)
BIHAR AND ORISSA, 1884

L. H. O.

Table A.

Divisions.	Districts.	Offences reported to the Courts.	Cases in which complaints were dismissed under section 203 of the Criminal Procedure Code.	Other cases struck off as false.	Cases accepted as true.	Cases brought to trial.	Persons.	
							Acquitted or discharged.	Convicted.
1	2	3	4	5	6	7	8	9
Patna	Patna ...	10,393	789	4	9,292	9,290	5,068	8,259
	Gaya ...	6,413	883	14	5,478	5,530	3,816	4,871
	Shahabad ...	5,061	1,265	38	3,615	3,836	4,985	2,650
Tirhut	Saran ...	6,133	819	30	4,804	5,112	4,561	4,224
	Champanan ...	4,877	2,066	16	2,753	2,768	4,140	1,763
	Muzaffarpur ...	4,636	1,049	22	3,420	3,473	3,586	3,054
	Darbhanga ...	5,225	1,272	12	3,883	3,953	5,787	3,493
	Monghyr ...	7,636	1,218	133	5,916	3,897	4,167	2,778
Bhagalpur	Bhagalpur ...	6,549	1,623	26	4,744	3,757	3,813	2,749
	Purnea ...	5,749	924	252	4,824	2,612	3,631	1,971
	Santa! Parganas	26	...	...	...	26	46	41
Orissa	Cuttack ...	5,167	1,628	32	3,227	3,204	3,020	2,353
	Balasore ...	2,775	469	271	1,879	1,238	1,073	1,028
	Puri ...	4,529	520	28	3,997	2,435	1,940	2,149
	Sambalpur ...	3,108	710	8	2,265	2,265	1,813	1,868
Chota Nagpur	Hazaribagh	4,154	680	61	3,050	2,602	3,066	2,966
	Ranchi	4,012	623	64	3,172	3,228	2,201	3,137
	Palamau ...	2,340	319	122	1,721	1,389	1,998	1,001
	Manbhum ...	9,724	546	46	9,132	7,863	4,512	7,123
	Singhbhum	4,947	352	31	929	3,635	2,192	3,503
	Total	163,504	17,755	1,210	77,601	72,113	65,415	60,981
	Total for 1933	101,075	17,727	1,187	75,191	71,366	63,779	63,612

100	100	100	100	100	100
200	200	200	200	200	200
300	300	300	300	300	300
400	400	400	400	400	400
500	500	500	500	500	500
600	600	600	600	600	600
700	700	700	700	700	700
800	800	800	800	800	800
900	900	900	900	900	900
1000	1000	1000	1000	1000	1000

TABLE C.

NUMBER OF PERSONS CONCERNED IN CASES DECIDED UNDER THE MISCELLANEOUS PROVISIONS OF THE CRIMINAL PROCEDURE CODE DURING 1934.

100	100	100	100	100	100
200	200	200	200	200	200
300	300	300	300	300	300
400	400	400	400	400	400
500	500	500	500	500	500
600	600	600	600	600	600
700	700	700	700	700	700
800	800	800	800	800	800
900	900	900	900	900	900
1000	1000	1000	1000	1000	1000

Table C.

Number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during 1934.

Divisions.	Districts.	Proceedings against witnesses under Chapter VI-C and section 485.	Proceedings under Chapter VIII to prevent breach of the peace.	Proceedings under Chapter VIII—Security for good behaviour.	Proceedings against loathsome nuisances, Chapter X.	Possession, Chapter XII.	F frivolous or vexatious accusations dealt with under Chapter XX, section 260.	Non-attendance of Jurors and Assessors, Chapter XXIII, section 332.	Maintenance, Chapter XXXVI.	Forfeiture of bail or recognizance under Chapter XLII.	Proceedings under Chapter XLVI, section 563, against convicted offenders released under section 562, Cr. P. C.	Total persons.
		Persons.	Persons.	Persons.	Persons.	Cases.	Persons.	Persons.	Persons.	Persons.	Persons.	
1	2	3	4	5	6	7	8	9	10	11	12	13
PATNA.	Patna ...	...	342	143	107	14	4	7	20	19	...	642
	Gaya ...	...	97	63	137	16	14	17	16	24	...	368
	Shahabad ...	...	298	77	267	76	21	1	32	4	...	700
TIHUT.	Saran ...	...	96	114	209	24	17	57	32	18	...	543
	Champanan ...	...	54	27	83	11	9	18	28	6	...	225
	Muzaffarpur ...	...	15	82	137	16	9	...	7	39	...	289
	Darbhanga ...	...	377	70	14	17	12	2	4	21	3	503

BHAGALPUR.	Monghyr	...	2	99	47	49	48	5	4	19	25	...	250
	Bhagalpur	...	...	43	20	41	173	9	...	21	50	...	184
	Purnea	...	...	41	197	26	15	6	17	6	10	...	303
	Santal Parganas	...	...	...	3	...	...	...	...	...	...	...	3
ORISSA.	Cuttack	...	...	57	22	13	5	22	...	33	12	...	159
	Balasore	...	...	17	14	3	10	7	...	10	18	...	69
	Puri	...	...	95	10	50	24	3	...	24	11	...	193
	Sambalpur	...	...	78	12	32	21	8	...	87	12	...	229
CHOTA NAGPUR.	Hazaribagh	...	...	144	16	198	27	10	...	32	19	3	422
	Ranchi	...	...	115	16	35	52	15	1	43	32	...	257
	Palamau	...	...	23	7	103	26	6	15	...	5	...	159
	Manbhum	...	...	530	33	112	53	9	8	33	22	...	747
	Singhbhum	...	...	108	40	9	18	11	2	27	64	...	261
	Total	...	2	2,629	1,013	1,625	646	197	149	474	411	6	6,506
Total for 1933		...	16	2,353	1,115	1,794	753	252	111	495	430	15	6,581

Table D.

Cases disposed of in the Superior Local Courts in 1934.

Divisions.	Districts.	Courts of Session.				District Magistrates.		
		Sessions cases.	Average duration of sessions cases in days.	Appeals.	Revisions.	Original cases.	Appeals.	Revisions.
1	2	3	4	5	6	7	8	9
PATNA	Patna	86	58.9	307	120	...	243	97
	Gaya	33	60.5	193	68	...	197	37
	Shahabad	63	38	256	94	...	182	73
TIBHUT	Saran	91	88	194	60	7	197	40
	Champaran	72	67	144	8	...	73	47
	Muzaffarpur	42	60	192	85	...	122	...
	Darbhanga	18	98	188	105	...	148	20

BHAGALPUR ...	Monghyr ...	...	52	53	149	90	...	163	65
	Bhagalpur ...	...	60	69	135	85	...	133	46
	Purnea ...	...	64	70	160	73	...	72	35
	Santal Parganas	...	21	71	...	...	...	...	...
ORISSA ...	Cuttack ...	...	16	49	108	72	1	130	15
	Balasore ...	...	7	64	130	16	2	37	10
	Puri ...	...	12	44	65	25	...	49	17
	Sambalpur ...	...	11	104.3	53	1	14	60	41
	Hazaribagh...	...	9	77	81	14	4	76	38
CHOTA NAGPUR	Ranchi ...	...	43	66	199	50	1	121	16
	Palamau ...	...	7	54	40	3	31	60	25
	Manbhum ...	...	24	79.1	204	3	1	125	57
	Singhbhum...	...	14	98.7	110	20	...	47	20
	Total	...	745	60.9	2,908	992	61	2,225	699
	Total for 1933	...	796	74	3,332	1,011	52	2,462	712

Table E.

Statement showing the particulars of whippings inflicted in 1934 by the Criminal Tribunals in each district in Bihar and Orissa.

Divisions.	Districts.	Cases in which whipping was inflicted.			
		In lieu of other punishments.	In addition to other punishments.	On juvenile offenders other than those included in columns 3 and 4.	Total.
1	2		4	5	6
PATNA ...	Patna	4	1	...	5
	Gaya	7	2	...	9
	Shahabad	7	...	...	7
TIHUT ...	Saran	1	2	...	3
	Champaran	15	...	...	15
	Muzaffarpur	8	...	...	8
	Darbhanga	3	...	...	3
BHAGALPUR ..	Monghyr	9	3	...	12
	Bhagalpur	2	...	...	2
	Furnea ... ..	...	2	...	2
	Santal Parganas ... ..	...	...	...	...

ORISSA	..	Cuttack	...	...	...	...	...	10	10	
		Balasore	...	...	...	...	4	...	4	
		Puri	...	...	...	...	...	...	3	3
		Sambalpur	...	...	...	...	6	...	5	11
CHOTA NAGPUR	}	Hazaribagh	...	...	...	...	5	10	1	16
		Ranchi	...	...	...	...	24	...	...	24
		Palamau	...	...	...	...	5	...	...	5
		Manbhum	...	...	...	...	11	...	2	13
		Singhbhum	...	...	...	...	10	...	...	10
		Total	...	...	...	121	20	21	(a) 162	
		Total for 1933	...	...	...	169	10	44	223	

(a) In addition to these, one person was sentenced to whipping by the High Court.

Table

Statement showing the number of witnesses, the time for paid as expenses of witnesses in the Courts

Divisions.	Districts.	COURTS OF SESSION.							
		NUMBER OF WITNESSES DISCHARGED.				Total in attendance.	Number examined.	Amount paid as expenses.	
		On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.				
1	2	3	4	5	6	7	8	9	
									Rs.
PATNA.	Patna	764	245	150	222	1,390	1,329	3,873	
	Gaya	327	114	64	45	550	505	995	
TIKUR.	Shahabad	932	162	72	37	1,203	1,112	4,011	
	Saran	1,165	450	202	65	1,888	1,345	3,153	
	Champaran	1,480	335	83	78	1,984	1,688	2,795	
	Muzaffarpur	410	118	41	37	615	490	1,028	
BHAGALPUR.	Darbhanga	340	74	36	37	487	432	973	
	Monghyr	635	288	96	42	1,061	838	2,136	
	Bhagalpur	1,261	391	138	132	1,923	1,147	5,830	
	Purnea	556	441	207	115	1,319	813	4,300	
JHESHA.	Santal Parganas	422	68	13	8	511	354	1,097	
	Cuttack	216	46	4	...	266	226	440	
	Balasore	143	7	...	...	150	145	178	
CHOTA NAGPUR.	Puri	182	33	2	...	217	194	608	
	Sambalpur	236	58	...	...	294	190	390	
	Hazaribagh	361	131	...	3	495	430	2,254	
	Ranchi	540	99	15	1	655	580	1,592	
	Palamau	78	46	6	1	129	109	139	
	Manbhum	319	181	38	4	542	367	1,248	
	Singhbhum	253	16	...	...	269	268	554	
	Total	10,635	3,300	1,175	827	16,046	13,323	38,784	
	Total for 1933	9,855	4,102	1,510	1,382	16,849	12,550	37,526	

F.

which they attended, the number examined and the amount of Session and Courts of Magistrates in 1934.

COURTS OF MAGISTRATES.						
NUMBER OF WITNESSES DISCHARGED.				Total in attendance.	Number examined.	Amount paid as expenses.
On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.			
10	11	12	13	14	15	16
						Rs.
10,769	5,851	1,014	205	17,839	16,147	8,691
7,723	4,215	1,050	84	13,072	10,375	7,846
10,735	5,653	1,256	207	17,851	14,410	8,610
12,835	5,513	719	48	19,115	14,389	8,846
9,132	3,984	1,040	124	14,280	10,003	11,188
9,707	4,768	678	61	15,214	11,387	5,203
7,394	4,052	923	235	12,604	9,078	4,809
9,794	5,205	1,756	344	17,159	13,668	14,483
10,312	4,622	1,533	376	16,743	12,718	6,883
10,849	4,289	939	203	16,280	12,945	12,802
...
7,882	3,213	720	157	11,972	7,961	7,761
4,534	2,022	373	67	6,996	5,571	3,819
6,293	2,064	574	...	8,931	6,237	4,775
6,766	2,573	696	61	10,096	7,466	2,848
6,963	3,242	713	104	11,022	8,556	8,969
6,736	3,646	635	53	13,150	9,616	2,776
3,976	1,485	281	99	5,841	4,329	3,074
11,611	5,530	871	57	18,069	13,449	14,988
7,007	3,103	346	27	10,783	9,053	5,917
162,968	75,120	16,417	2,542	257,047	197,297	1,39,175
176,130	75,951	14,897	2,795	269,773	204,663	1,26,003

Table G.

Criminal Business coming before the High Court in 1934.

Description of cases.	Remain- ing from 1933.	Filed in 1934.	Dispos- ed of in 1934.	Remain- ing at the close of 1934.	
1.	2	3	4	5	
ORIGINAL CRIMINAL JURISDICTION.					
<i>Sessions Cases.</i>					
Cases under section 526, Criminal Procedure Code.	...	...	...	...
Cases committed by the Presidency Magistrates.	...	...	...	...
Cases committed under section 447, sub-section (2), Criminal Procedure Code.	...	...	...	...
Total	...	...	...	...
APPEALS.					
From the orders of the Presidency Magistrates.	...	...	...	...
By persons convicted.	Magistrates acting under section 34, Criminal Procedure Code.	8	55	58	5
	Sessions Judges	42	281	301	22
	{ Section 476 B, Cr. P. C.	1	8	8	1
By the Local Government.	From judgments of acquittal of all Courts.	1	12	7	5*
	Total	52	356	374	33
REFERENCES.					
Cases in which the Sessions Judge dissented from the verdict of a Jury and referred under section 307, Criminal Procedure Code.	5	24	27	2	
Cases in which sentence of death passed by the Sessions Judge was referred for confirmation under section 374, Criminal Procedure Code, and section 4 of Act XXII of 1860.	6	37	37	6	
Carried over	11	61	64	8	

*(1 withdrawn).

Table G—concl'd.*Criminal Business coming before the High Court in 1934.*

Description of cases.	Remain- ing from 1933.	Filed in 1934.	Disposed of in 1934	Remain- ing at the close of 1934.
1	2	3	4	5
Brought forward ...	11	61	64	8
Cases in which proceedings held against persons who cannot understand them are referred for orders under section 341, Criminal Procedure Code.	...	...	...	...
Reference under section 339, Criminal Procedure Code.	...	...	...	...
Reference under section —, Criminal Procedure Code.	...	...	...	...
References by Presidency Magistrates under section 432, Criminal Procedure Code,	...	...	...	...
Total ...	11	61	64	8
REVISION .				
Cases referred for revision by District Magistrates and Sessions Judges under section 438, Criminal Procedure Code.	5	71	64	12
Cases dealt with by the Court under section 435, Criminal Procedure Code, and under section 15 of the Charter Act—				
(1) Cases decided by Magistrates	16	236	240	12
(2) " " Sessions Judges	18	414	420	12
Cases dealt with under section 526, Criminal Procedure Code.	1	37	36	2
Cases against the order of sanction granted by Civil and Revenue Courts under sections 195-476, Criminal Procedure Code.	...	10	9	1
Total ...	40	768	769	39
Full Bench Reference ...	...	..	...	...
Miscellaneous orders in Court ...	...	18	18	...
Total ...	...	18	18	...
Grand Total ...	103	1,203	1,225	80

