

Junab Ali Vs. Emperor

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Court : Kolkata

Decided On : May-10-1904

Reported in : (1904)ILR31Cal783

Judge : Pratt and; Handley, JJ.

Appellant : Junab Ali

Respondent : Emperor

Judgement :

Pratt and Handley, JJ.

1. The petitioner was released from jail on the 26th September 1902, after having undergone one year's imprisonment on failure to furnish security for his good behaviour under section 110 of the Code of Criminal Procedure. About fifteen months afterwards fresh proceedings of the same nature were started against him and in the result he has been again ordered to furnish security to be of good behaviour for a period of one year.

2. We think that the petitioner has not had a sufficient locus poenitentioe and that the evil reputation which he had before his imprisonment has still followed him and permeated the evidence of many of the witnesses. We therefore think that the order of the Magistrate dated the 29th February 1904, should be set aside and we order accordingly.

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