

**Chand Khan Vs. the Empress**

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**SooperKanoon Citation :** [sooperkanoon.com/860432](http://sooperkanoon.com/860432)

**Court :** Kolkata

**Decided On :** May-28-1883

**Reported in :** (1883)ILR9Cal878

**Judge :** Prinsep and ;O'Kinealy, JJ.

**Appellant :** Chand Khan

**Respondent :** The Empress

**Judgement :**

**Prinsep, J.**

1. We think that no appeal lies in this case. Section 406 provides expressly for an appeal on behalf of a person required by a Magistrate, other than the District Magistrate or a Presidency Magistrate, to give security for good behaviour, and the law nowhere declares that any appeal shall lie in other cases of this class. The order moreover is not a conviction on a trial held by a Sessions Judge (Section 410), nor a sentence of the District Magistrate subject to the confirmation of the Sessions Judge (Section 408a), and, therefore under Section 404 no appeal would lie.