

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2079 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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Shambhu Manjhi

.... Petitioner/s

Versus

The State of Bihar Through The Secretary Ministry of Home, Government of Bihar,
Patna & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durga Narayan, Advocate

For the Respondent/s : Mr. S.K. Sharma, A.C. to AAG-3

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 06-11-2017

Perused the office notes.

So far defect No. 14 (3) is concerned, the same is
condoned.

This application is being heard and considered at this stage
for its final disposal with the consent given by the parties.

The writ petitioner was convicted in connection with
Mokama P.S. Case No. 149 of 1998, Sessions Trial No. 1176 of 99
passed by the Additional District and Sessions Judge IVth, Barh,
Patna on 25.05.2005 and sentenced to undergo rigorous imprisonment
for life under Section 302 of the I.P.C. He was, also convicted under
Section 27 of Arms Act.

It is claimed that the petitioner has completed actual period



of incarceration of 20 years and is entitled for consideration of premature release.

Having regards to the facts and circumstances of this case, the same is being disposed of with a direction to the respondent authority to examine the matter of the petitioner and if found to have completed the qualifying period of incarceration then his case may be considered in accordance with law for premature release. Such decision should be taken within a period of three months, so that, if the petitioner is found entitled his case may be transmitted to the Bihar State Sentence Remission Board for its consideration, in accordance with law, in its next meeting.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

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CAV DATE	
Uploading Date	
Transmission Date	

