

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1572 of 2017

Paramhans Singh, son of Late Ramsharan Singh, resident of village-Jalalpur,
P.S.-Kargahar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Secretary, Home Department-cum-Chairman, State Sentence Remission Board, Bihar, Patna.]
3. The Commissioner, Home Special Government of Bihar, Patna.
4. The Inspector General (Prison), Government of Bihar, Patna.
5. The Jail Superintendent, Kendriya Kara, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Advocate
For the Respondent/s	:	Mr. Mrigendra Kumar, Ac to GA-4

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 08-09-2017

Heard learned counsel for the petitioner and the State.

Through this writ application, the petitioner, who is serving the life sentence vide judgment of conviction dated 25.01.2001 and order of sentence dated 2.02.2001 passed by 1st Additional Sessions Judge, Rohtas at Sasaram in Sessions Trial No.567 of 1992/292 of 1998, seeks his premature release as he claims that he has already completed the



qualifying period of incarceration entitling him of such benefit.

However, his application has been kept in abeyance by the Board for the reason that the Presiding Officer did not give his firm opinion upon the issue which he was required to do under Section 432 of the Code of Criminal Procedure.

In the aforesaid facts and circumstances, this Court would dispose of this writ application with a direction to the concerned Presiding Officer go give his firm opinion in accordance with law within a period of four weeks from the date of receipt/production of a copy of this order. After such opinion is received, the matter should immediately be forwarded once again to the Bihar State Sentence Remission Board by the respondents so that a decision could be taken with respect to the petitioner by the Remission Board in accordance with law in its next meeting.

Let a copy of this order be immediately communicated to the Additional Sessions Judge-1, Rohtas at Sasaram by way of facsimile message and the same should also be communicated on the official E-mail of the District and Sessions Judge, Rohtas at Sasaram so that he could also communicate it immediately to the concerned Presiding



Officer for compliance of the direction.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	11.09.2017
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