

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.28 of 2017

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

- =====
1. Sukhdeo Yadav @ Sukhdeo Prasad Yadav, son of Kishun Yadav, Resident of Village- Akuna Bazar, Police Station- Nawada (Muffasil), District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna.
2. The Inspector General of Police (Prison), Bihar, Patna.
3. The Superintendent of Police, Nawada, District- Nawada.
4. The Superintendent of Jail, Central Jail, Gaya, District- Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Respondent/s : AC to AG

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 01-08-2017

The petitioner has sought for release from custody in connection with Sessions Trial No.511 of 1989, arising out of Nawada P.S. Case No.188 of 1989, on the ground that the petitioner was convicted and sentenced to imprisonment for life. He has already completed 14 years of real imprisonment and more than 20 years of imprisonment including the period of parole. In the circumstances, the Sentence Remission Board should consider the prayer of the petitioner for remission of sentence and release.

Further submission is that the report of the learned trial judge is awaited and for that reason the Remission Board is not considering the prayer of the petitioner.



The Court of learned Sessions Judge, Nawada, who is trial judge in this case, is directed to give his opinion as sought by the Department of Home (Prison) expeditiously, preferably within a period of one month of the receipt of a copy of this order and, thereafter, the State Government shall pass appropriate order according to law.

With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.08.2017
Transmission Date	04.08.2017

