

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.695 of 2017

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

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Murari Mohan Sharma Son of Ramcharan Singh Resident of Village - Jagdishpur,
P.S. Naubatpur, District - Patna.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department, of Home and Jail Government of Bihar, Patna .
2. The Inspector General (Prison), Bihar, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Jail Superintendent, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 26-02-2018

Heard learned counsel for the petitioner and
learned counsel for the respondents.

In paragraph 7 of the counter affidavit filed on
behalf of the respondent nos. 1, 2 and 4 it has been stated thus:

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“7. That it is stated that it is mandatory for consideration for pre-mature release of a life convict that he must have served 14 years of actual imprisonment and 20 years of imprisonment with remission. Here the petitioner has served the sentence with remission of 19 years 04 months and 20 days only and so the proposal for pre-mature release of the petitioner has not been sent for consideration before State Sentence Remission Board.”

In course of argument, learned counsel for the
parties agree that now even in view of the stand taken in



paragraph 7 of the counter affidavit the case of the petitioner for consideration has matured.

Learned counsel for the State submits that if the petitioner files a fresh application, the same shall be considered by the State Sentence Remission Board as early as possible.

Learned counsel for the petitioner agrees for the same and submits that he will file fresh application within a period of 15 days from today in view of the stand reflected hereinabove, on submitting an application within a period of 15 days from today with a certified copy of the order passed in this case, the State Sentence Remission Board shall consider the same in terms of the norms and guidelines laid down on the subject and a decision on the application of the petitioner must be taken within a period of two months from the date of receipt of the application with a certified copy of the order of this court.

Accordingly, this application is disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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