

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1116 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- NALANDA (BIHARSHARIFF)

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Krishna Gope @ Krishna Prasad, son of Late Ramadhin Gope, resident of village
Rupaspur, Police Station Karai Parsurai, District Nalanda.

.... Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General, Prison, Bihar, Patna.
4. The Assistant Inspector General Prison, Bihar, Patna.
5. The State Sentence Remission Board, Bihar, Patna through its Secretary.
6. The Jail Superintendent Adarsh Central Jail Beur, Patna.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.
For the Respondent/s : Ms. Prachi Pallavi, AC to AG

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 13-04-2018

This writ application has been filed by the petitioner for his premature release, who has been convicted for life under Section 302 of the Indian Penal Code and Section 27 of the Arms Act in Sessions Trial No.233 of 1985, arising out of Karai Parsurari P.S. Case No.165 of 1984, in terms of the Short Sentencing Policy of the State.

It is apparent from the letter dated 23.10.2017 sent by the Jail Superintendent, Adarsh Central Jail Beur, Patna that the petitioner had already completed 18 years 06 months and 11 days of actual



incarceration and 23 years, 03 months and 20 days with remission, even then no decision has been taken regarding his premature release.

Be that as it may, in our view, if the petitioner is entitled for consideration of his premature release a final decision would be taken by the respondent authorities within a period of three months from the date of receipt/production of a copy of this order so that his matter could be considered by the State Sentence Remission Board within the aforesaid period in accordance with law.

With the aforesaid observation and direction, this writ application stands disposed of.

(Dr. Ravi Ranjan, J.)

(Prakash Chandra Jaiswal, J.)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2018
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