

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.11 of 2020

Arising Out of PS. Case No.- Year-0 Thana- District-

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ASHISH MANDAL Son of Paro Mandal Resident of Village - Shahpur, P.S.-
Ghogha, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Home, Patna, Bihar.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General, Prison, Bihar, Patna.
5. The State Sentence Remission Board through its Prison, Bihar, Patna.
6. The Jail Superintendent, Sahid Jubba Sahni Central Jail, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

For the Respondent/s : Mr. Sheo Shankar Prasad

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-01-2020

The petitioner has prayed for the following reliefs:

(i) For issuance of an appropriate writ commanding the respondents to release the petitioner, who is life convict and has completed 14 years 07 months and 19 days of custody, which means he has almost served the entire sentence.

(ii) For issuance of an appropriate writ commanding the respondent no. 5 to consider the case of petitioner for release and pass and final order.

(iii) For any other relief/reliefs for which the petitioner is entitled under law as well as on facts.”

The petitioner’s detention is by virtue of a judgment



rendered by a competent court i.e. Mr. Alok Chandra Prasad, 1st
Addl. Sessions Judge, Bhagalpur in Sessions Trial No. 205 of
2005, Tr. No. 42 of 2005. As such his detention cannot be said
to be illegal and the present petition filed in the nature of
habeas corpus is totally misconceived.

Accordingly, the present petition stands dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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