

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.883 of 2022

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

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Mantu Sharma @ Sanjay Singh Son of Late Vijay Sharma, Resident of
Village - Gamhari, P.S.- Uphara, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Home, Government of Bihar, Patna.
2. The Principal Secretary Department of Home, Government of Bihar, Patna.
3. The Inspector General, Prisons, Government of Bihar, Patna.
4. The Jail Superintendent, Central Jail, Buer, Patna.
5. The Deputy Superintendent, Central Jail, Buer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar, Adv.
For the Respondent/s	:	Mr. Pawan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner submits that there are four prayers made in the writ petition and out of four, three prayer become infructuous and he is putting emphasis for grant of one prayer only i.e. relating to payment of his remuneration as petitioner had worked during trial in this case when he was in custody.

Learned counsel for the State submits that in existing law there is no provision for payment of any money



to under trial. The law permits grant of payment to the convicted person only upon taking work.

In this view of the matter, the relief seeking by the petitioner is not maintainable.

Upon specific query by the Court from counsel for the petitioner that under what law he is demanding such relief, counsel for the petitioner kept mum and then submits that the stand of State is correct.

In this view of the matter, petitioner is directed to file representation before the I.G. Prison who upon framing any rule for under trial prisoners may consider the case of petitioner if, work has really taken from him in prison.

With this direction, the present Cr. Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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