

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.977 of 2025

Arising Out of PS. Case No.-108 Year-1983 Thana- AKBARPUR District- Nawada

Uma Singh @ Mohan Das S/o- Badri Singh @ Harish Singh Village- Siur,
P.S. Roha, Dist. Nawada, Preseltly At Sakarpura Ps- Akbarpur Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna Bihar
2. The State Sentence REmission Board thorough the Principal Secretary, Home Department, Govt. of bihar Bihar
3. The Chief Secretary, Govt. of Bihar, Patna Bihar
4. The Joint Secretary cum Director (Administration), Dept. of Home Prison, Govt. of bihar, Patna Bihar
5. The Secretary, Law Department, Govt. of Bihar, Patna Bihar
6. The Additional Director General of Bihar, Criminal Investigation Department, Bihar, Patna Bihar
7. The Inspector General, Jail and REforms Services, Bihar, Patna Bihar
8. The Assistant Inspector General, Jail and Reforms Services, Bihar, Patna Bihar
9. The Jail Superintendent, Central Jail, Gaya Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan
For the Respondent/s : Mr.G.P.20

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This writ petition has been filed on behalf of the

petitioner for the following reliefs:-

*A). For issuance of an appropriate writ
in the nature of Mandamus commanding and
directing the respondents for the premature release
of the petitioner from the Central jail, Gaya whose
he is facing conviction for life imprisonment in*



session trail no-852/84/180/84 under section 302/149 IPC passed on 21.09.1985 passed by learned A.D.J.-Ist Nawada and again this order of conviction has been up held on 03.05.1996 vide cr. Appeal No-298/1985 by the division Bench of this Hon'ble High Court, Patna where under as per calculation till dated 27.04.2025, the petitioner had completed 14 years 00 months and 15 days of his physical incarceration and nearly 18 years 1 month and 3 days with remission but he had not completed 20 years with remission. Although in view of clause -III(a) of the Notification dated 10.12.2002 and Section 481(i) of the Bihar Prison Manual, 2012, the life convict is eligible only after completion of 14 years of his physical incarceration although with remission he has completed 18 years 01 month and 3 days. So there is no condition for completion of 20 years with remission.

II). For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent no. 9 to send the proposal along with relevant reports of the prescribed Authorities as required under the law to the State Remission Board for grant of pre-mature release of the petitioner in connection with Sessions Trial No. 852/84/180/84 arising out of Akbarpur P.S. Case No. 108 of 1983 in which the petitioner was convicted for life under Sections 302/149 of the Indian Penal Code vide judgment dated 21.09.1985 passed by the learned Additional Sessions Judge-I, Nawadah and this order of conviction has been upheld by the Hon'ble High Court on 03.05.1996 vide Cr.Appeal No. 298 of 1985.

III). For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent State Remission Board to consider the case of the petitioner for grant of pre-mature release and grant pre-mature release to the



petitioner on the ground that the petitioner had already completed 14 years 0 month and 15 days of his physical incarceration and total period is 18 years 01 month and 3 days with remission on 27.04.2025.

3. This application is disposed of with a direction to the Jail Superintendent, Central Jail, Gaya/ Authority concerned to consider the application of the petitioner for premature release in accordance with law and in view of the order of this Court passed in Cr. W.J.C. No. 1895 of 2023 (Bharat Singh Vs The State of Bihar & Ors).

(Sandeep Kumar, J)

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