

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1377 of 2022

Arising Out of PS. Case No.-13 Year-2002 Thana- NOKHA District- Rohtas

Shambhu Kahar, S/o Akashat Kahar @ Achhat Kahar, Resident of village-
Pipra, P.S.- Nokha, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Govt. of Bihar Patna. Bihar
2. The Union of India Through Home Secretary, New Delhi. Bihar
3. The State Sentence Remission Board Through the Principal Secretary, Dept.
of Home, Govt. of Bihar Patna Bihar
4. The Joint Sect. Cum Director (Administration), Home Dept. (Prison), Bihar,
Patna Bihar
5. The Secretary, Law Dept., Govt. of Bihar, Patna Bihar
6. The Additional Director General of Police, Criminal Investigation Dept.,
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, Sasaram Jail, Sasaram, Rohtas Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Advocate Mr. Rakesh Narayan Singh, Advocate
For the Respondent/s	:	None.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 23-02-2026

Heard learned counsel for the petitioner.

02. However, there is no representation on behalf of the
State-respondents.

03. The petitioner has filed the present writ petition
seeking direction to the respondent no.3/State Sentence
Remission Board/ (hereinafter referred to as 'the Board') to
consider the case of the petitioner for his premature release by



extending the benefit of remission on the ground that he has already completed the qualifying period of incarceration entitling him of such benefit.

04. The learned counsel for the petitioner submits that the petitioner has been convicted for the offence under Sections 302/149 of the Indian Penal Code and Section 27 of the Arms Act after facing trial, vide Sessions Trial No. 412 of 2002, arising out of Nokha P.S. Case No. 13 of 2002, by the learned Additional Sessions Judge, FTC-1, Rohtas at Sasaram, vide judgment of conviction dated 28.06.2006 and has been sentenced to undergo rigorous imprisonment for life with fine vide order of sentence dated 03.07.2006. Being aggrieved by the aforesaid judgment and order, the petitioner filed Cr. Appeal (DB) No. 705 of 2006 before this Court, which upheld and confirmed the judgment and order of the learned trial court vide judgment dated 23.11.2012. The learned counsel further submits that the petitioner has already completed for more than 14 years of his actual incarceration and more than 20 years with remission.

05. Though there is no representation on behalf of the State-respondents, but the counter affidavit filed on behalf of respondent nos.3, 4, 7, 8 & 9 is on record wherein it has been



admitted that the petitioner has completed 14 years of his actual custody and 20 years of custody with remission on 30.09.2022 and it has also been submitted that the proposal of the petitioner for premature release would be put up in the next meeting of the Board for consideration.

06. At this stage, the learned counsel for the petitioner submits that so far as his instruction, the matter has not been put up before the Board till date.

07. In the light of the aforementioned facts and circumstances, the concerned respondent authorities are directed to place the matter of the petitioner before the Board within a period of four weeks after obtaining necessary reports from the statutory authorities, if required. Thereafter, appropriate decision in the matter of the petitioner be taken by the Board in accordance with law within a period of next four weeks.

08. With the aforesaid observations/directions, the present writ petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2026
Transmission Date	23.02.2026

