

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 179 OF 2000

RAJNANDAN PRASAD	APPELLANT(S)	
VERSUS			
STATE OF BIHAR	RESPONDENT(S)	

O R D E R

The appellant has been convicted under Section 396 of the Penal Code and sentenced to rigorous imprisonment for ten years.

While hearing the case yesterday, we asked Mr. Samir Ali Khan, standing counsel for the State of Bihar, to find out how long the petitioner has remained in jail.

Today, Mr. Khan produced before us copies of the fax messages under the Covering Letter bearing No. 1795/Jail dated December 12, 2012 from the Superintendent, Divisional Jail, Navada to the Superintendent of Police, Navada. The letter encloses communications from different jails giving the details of the periods of incarceration suffered by the appellant in those jails. On the basis of the communications, Mr. Khan has made computation, from which it appears that the appellant has now remained in jail for about twelve years.

We fail to understand why the appellant has not been released so far since his sentence was only ten years.

We, accordingly, direct that, in case the appellant is not required in any other case, he should be released from jail forthwith as, apparently, he has remained in jail for a period longer than the sentence awarded to him vide judgment and order dated February 02, 1999 passed by the Patna High Court in Criminal Appeal No. 20/1988.

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Let copies of the fax messages produced by Mr. Samir Ali Khan be kept on the record of the case.

The appeal is disposed of with the aforesaid observations and directions.

.....J.
(AFTAB ALAM)

.....J.
(RANJANA PRAKASH DESAI)

NEW DELHI,
DECEMBER 13, 2012.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 179 OF 2000

RAJNANDAN PRASAD

Appellant (s)

VERSUS

STATE OF BIHAR

Respondent(s)

Date: 13/12/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Appellant(s)

Mr. Ram Vijay Kumar, Adv.

Dr. Kailash Chand, Adv.

For Respondent(s)

Mr. Samir Ali Khan, Adv.

for Mr. Gopal Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

|(N.S.K. Kamesh)

| |(Sneh Bala Mehra)

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|Court Master

| |Court Master

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(signed order is placed on the file)