

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (DB) No. 510 of 2013

Shibu Soren ... **Appellant**
Versus
The State of Jharkhand ... **Respondent**

CORAM : HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR
HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Appellant : Mrs. Vani Kumari, Advocate
For the State : Mr. S. K. Keshri, A.P.P

Order No. 11 : Dated 08th July, 2020

Hearing of this criminal appeal has been convened and conducted through Video-Conferencing.

Mrs. Vani Kumari, the learned counsel for the appellant submits that the appellant has suffered conviction and sentence of R.I for 10 years under section 376 IPC, however, from the records it appears that he had already completed the sentence inflicted upon him. Mr. S. K. Keshri, the learned A.P.P stated that he has received a report which, however, is not legible.

Therefore, the matter was passed-over to be taken up at 12:30 p.m.

At 12:30 p.m Mrs. Vani Kumari, the learned counsel for the appellant and Mr. S. K. Keshri, the learned A.P.P have joined the proceeding through Video-Conferencing.

Mr. S. K. Keshri, the learned A.P.P states that according to the instruction received by him the appellant on completing the sentence, with remission, has been released on 04.09.2017.

We take a serious view of this matter.

Atleast on two occasions I.G. (Prison), State of Jharkhand has appeared before this Court and gave his personal undertaking that he would ensure that necessary information regarding release of the convicts shall be placed on record promptly.

The order dated 28.11.2019 passed in Criminal Appeal (DB) No. 799 of 2010 with Criminal Appeal (DB) No. 379 of 2013 refers undertaking of I.G. (Prison), State of Jharkhand.

The appellant in the present case was released on 04.09.2017, however, information in this regard was not placed on record by the State.

In view of the careless, reckless and irresponsible conduct of the Prison authorities, we are of a prima-facie view that exemplary cost needs to be imposed upon the person concerned.

On the request of Mr. S. K. Keshri, the learned A.P.P adjourn the matter for 13.07.2020.

(Shree Chandrashekhar, J.)

(Ratnaker Bhengra, J.)

Amit/