

ITEM NO.20

COURT NO.12

SECTION II-A

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

SPECIAL LEAVE PETITION (CRIMINAL) DIARY NO. 63229/2025

[Arising out of impugned final judgment and order dated 10-05-2019 in CRADB No. 1034/2013 passed by the High Court of Judicature at Patna]

BUTTAN SAO

PETITIONER(S)

VERSUS

STATE OF BIHAR

RESPONDENT(S)

FOR ADMISSION and I.R.

(IA No. 11823/2026 - CONDONATION OF DELAY IN FILING, IA No. 11825/2026 - EXEMPTION FROM FILING O.T.)

Date : 19-01-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :

Dr. Anindita Pujari, Sr. Adv.
Ms. Kiran Bhardwaj, AOR
Ms. Anu Mohla, Adv.
Ms. Anuradha Rustogi, Adv.
Mr. Shaileshwar Yadav, Adv.
Ms. Radhika Mohapatra, Adv.
Ms. Prerna, Adv.
Ms. Rishika, Adv.
Mr. Shubham Saurabh, Adv.

For Respondent(s) :

O R D E R

Heard learned Senior Counsel for the petitioner.

2. Delay condoned.

3. At the outset, learned Senior Counsel for the petitioner submits that the petitioner has a good case on merits, but because of the long delay in approaching this Court, and the actual period of custody being more than 13½ years, the authorities are bound to consider the claim for premature release as and when the petitioner becomes entitled to the same, which would be on completing 14 years.

4. Having considered the matter, we deem it appropriate to direct the concerned authorities/Competent Authority to initiate the process with regard to premature release of the petitioner, as and when the period required for such consideration under the existing policy of the State Government becomes due. The same be initiated and final order be passed by the Competent Authority within two months from the date of initiation of such proceedings.

5. We only indicate that even otherwise, the authorities are duty bound to take up the matter without receiving any formal application from the accused in terms of the order passed by this Court in *Suo Moto Writ Petition (Criminal) No. 4 of 2021*, dated 18.02.2025.

6. Registry to communicate this order to the concerned Jail Superintendent.

7. The Special Leave Petition stands disposed of in the aforementioned terms.

8. Pending application(s), if any, shall also stand disposed of.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR