

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.336 of 2016

Arising out of PS.Case No. - Year- Thana - District- PATNA

Bachchi Devi @ Rekha Devi @ Bachi Devi, Wife of Late Deo Bahadur Singh,
Daughter of Sri Jogendra Sahani, resident of Village- Tangauli, Sachipatti, P.S.-
Hajipur Town, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department, Government of Bihar, Patna
3. The Chairman, Bihar State Sentence Remission Board, Patna
4. The Inspector General (Prisons), Government of Bihar, Patna.
5. The Jail Superintendent, Beur Jail, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13

Mr. Rohit Kumar, Advocate.

For the Respondent/s : Mr. Rajesh Kumar, A.C. to G.P. 3

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 16-09-2016

Heard learned counsel for the parties.

2. The petitioner has invoked the writ jurisdiction of this Court for her premature release on the ground that she has remained in jail custody for about 20 years and, therefore, she is entitled to be released in terms of Section 433 of the Code of Criminal Procedure.

3. In the counter affidavit, the stand is that in terms of the policy of the State Government, a convict is considered for premature release after completion of 14 years of actual imprisonment and 20 years of imprisonment with remissions and that petitioner is likely to complete the period of 20 years on 28th of February, 2017,

when her case would be considered.

4. Keeping in view the stand in the counter affidavit, the present writ application is disposed of with liberty to the petitioner to apply for remission around the period when she is going to complete 20 years of custody including remissions on 28th of February, 2017. As and when any application is filed, the State shall consider the same expeditiously in accordance with law.

(Hemant Gupta, J)

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