

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1819 of 2016**

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1. Mahendra Narayan Pandey Son of Late Tophi Pandey Resident of  
village - Ghorbanki, P.S. Basopatti, District - Madhubani

.... .... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,  
Patna  
2. The Home Commissioner - Cum - Secretary, Home ( Special ),  
Department, Government of Bihar, Patna  
3. The Law Secretary, Law Department, Government of Bihar, Patna  
4. The Director General of Police, Bihar, Patna  
5. The Inspector General ( Prison ), Government of Bihar, Patna

.... .... Respondents

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with

**Civil Writ Jurisdiction Case No.2828 of 2016**

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1. Kumar Sagar Son of Sri Sheo Narayan Prasad, resident of CHandamari  
Road Corner, P.S. Kankarbagh, District - Patna

.... .... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,  
Patna  
2. The Home Commissioner - Cum - Secretary, Home ( Special ),  
Department, Government of Bihar, Patna  
3. The Law Secretary, Law Department, Government of Bihar, Patna  
4. The Director General of Police, Bihar, Patna  
5. The Inspector General ( Prison ), Government of Bihar, Patna

.... .... Respondents

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with

**Criminal Writ Jurisdiction Case No. 258 of 2016**

Baijnath Yadav ..... Petitioner

Versus

The State of Bihar through the Principl Secretary, Home Police Department  
and ors. .... Respondents

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with

**Criminal Writ Jurisdiction Case No. 369 of 2016**

Neeraj Kumar ..... Petitioner

Versus

The State of Bihar through the Principal Secretary, Home and ors.  
..... Respondents

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**Appearance :**

(In CWJC No.1819 of 2016)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Anjani Kumar- Aag6

(In CWJC No.2828 of 2016)

For the Petitioner/s : Mr. Ratnakar Pandey

For the Respondent/s : Mr. Anjani Kumar- Aag6

(In Cr.W.J.C.No. 258 of 2016)

For the Petitioner: Mr. Sanjay Kumar

For the Respondents: Mr. Anjani Kumar, AAG6

(In Cr.W.J.C.No. 369 of 2016)

For the Petitioner: Mr. Gouranga Chatterjee

For the Respondents: Mr. Anjani Kumar, AAG6

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE  
and  
HONOURABLE JUSTICE SMT. ANJANA MISHRA****ORAL ORDER****(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

13 12-07-2016 Heard Mr. Vijay Kumar, learned Counsel for the petitioners, and Mr. Anjani Kumar, learned Additional Advocate General No. 6, appearing for the State respondents. Heard also Mr. Sanjay Kumar, learned Counsel for the petitioner (in Cr.W.J.C.No.258 of 2016), and Mr.Gouranga Chatterjee, learned Counsel for the petitioner (in Cr.W.J.C.No.369 of 2016).

State respondents have filed their supplementary counter affidavit, which indicates that the meeting of the Remission Board has taken place and while some of the convicts have been granted remission, some others have not been granted remission. This apart, the Remission Board, in some cases, has asked for further opinion from the authorities concerned so that the cases can be effectively taken up for consideration of remission.

As far as the petitioner, namely, Baijnath Yadav, in Cr.W.J.C.No. 258 of 2016, is concerned, his prayer for remission has been declined as he has not completed his requisite period of actual imprisonment.

As the petitioner, namely, Neeraj Kumar in C.W.J.C.No. 369 of 2016, who makes prayer for remission of the sentences passed against his father and three others, is concerned, it has been pointed out that their cases have been rejected.

In view of what have been pointed out above, nothing remains for determination in these writ petitions.

As far as those convicts, whose prayers for remission have been declined, they may, if so advised, take recourse to such provisions of law as may be permissible.

In terms of the observations and directions, these writ petitions are disposed of.

**(I.A. Ansari, ACJ)**

**(Anjana Mishra, J)**

A.I./-

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