

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2670 of 2017

Arising Out of PS. Case No.-115 Year-1984 Thana- NALANDA District- Nalanda

Sadhu Singh @ Sadhu Saran Singh, son of Late Lal Bahadur Singh, resident of Mohalla-Mokarampur, P.S. and District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar through Chief Secretary, Bihar Patna & Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate
For the Respondent/s : Ms. Divya Verma, AC to AAG-3

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 13-12-2017

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is serving life sentence in connection with Sessions Trial No.273 of 1985/138 of 1987 arising out of Nalanda P.S. Case No. 115/1984 after his conviction under Sections 302/149 of the Indian Penal Code, seeks direction for his premature release under the Short Sentencing Policy of the State as he claims that he has already completed the qualifying period of incarceration entitling him of such benefit.

Having regards to the aforementioned facts and circumstances, this writ application stands disposed of with a direction to the respondents to examine the matter of the petitioner and if it is found that he has completed the required period of



incarceration for consideration under the Short Sentencing Policy of the State of Bihar then his case should be considered in accordance with law and the matter should be sent to the Remission Board for its consideration in accordance with law. However, if the petitioner's claim is not found tenable then a reasoned order would be required to be passed and a copy of the same should be supplied to the petitioner. The petitioner would be at liberty to assail the same before the competent forum.

It is expected that the whole exercise would be completed by the respondent authorities within a period of three months from the date of receipt/production of a copy of this order so that the matter could be forwarded to the Bihar State Sentence Remission Board for its consideration in accordance with law in its next meeting.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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