

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1427 of 2017

Arising Out of PS. Case No.-255 Year-2001 Thana- SILAW District- Nalanda

Muskan Devi, w/o Manoj Kumar, resident of village- Pachwara,
P.S. Nalanda, District, Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Home, Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Inspector General, Prison, Bihar, Patna
5. The Assistant Inspector General, Prison, Bihar, Patna
6. The State Sentence Remission Board, through, I.G. Prison,
Bihar, Patna
7. The Jail Superintendent, Adarsh Kendrya Kara, Beur, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey
For the Respondent/s : Mr. Ajay Kumar Sharma, A.C. to A.G.

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

Date : 24-08-2017

Perused the office note.

Defect is ignored.

This application is being heard for final disposal
with the consent of the parties.

Through this writ application, the petitioner, who is
serving sentence for life in terms of his conviction under Section
302 of the I.P.C. as well as under Section 27 of the Arms Act



pursuant of a judgment of conviction and order of sentence dated 07.04.2006 passed in Sessions Trial No.544 of 2001/64 of 2005 arising out Silao (Nalanda) P.S. Case No.255 of 2001, seeks his premature release.

It is contended that petitioner has already completed qualifying period of actual incarceration of about 14 years and along with remission more than 20 years and, as such, in terms of 1984 Short Sentencing Policy of the State of Bihar, his case should be considered for premature release.

Accordingly, this writ application stands disposed of with a direction to the respondent nos.4 and 7 to examine the matter of the petitioner. If it appears that he has completed the qualified period of incarceration then his case would be considered in accordance with law for his premature release in terms of the Remission policy of the State.

It is expected that the entire exercise would be completed within a period of two months from the date of receipt/production of a copy of this judgment so that the same could be placed before the Sentence Remission Board for its consideration in its next meeting thereafter. In case, the petitioner's case is not found fit for such consideration then a reasoned order should be passed by the competent authority



which should be communicated to the petitioner within the
aforesaid period.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2017
Transmission Date	NA

