

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.419 of 2017

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Om Prakash Paswan, son of Ganauri Paswan, resident of village- Ram Nagar, West Patther Gali, P.S.- Jakkanpur, District- Patna at present serving sentence of Life Imprisonment in Central Jail Buxar, Bihar

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Home, Govt. of Bihar, Patna
2. The Principal Secretary Dept. of Home, Govt. of Bihar, Patna
3. Inspector General Prison & Reform Services Govt. of Bihar, Patna
4. The Secretary, Law Department Govt. of Bihar, Patna
5. Additional Director General of Police Crime & Investigation Dept. Bihar, Patna
6. Director Parviksha Services Bihar, Patna
7. The Superintendent of Police, Buxar
8. The Superintendent of Police, Saran at Chapra
9. The Jail Superintendent Central Jail, Buxar
10. The Jail Superintendent Divisional Jail, Saran at Chapra
11. The State Sentence Remission Board through its President/Chairman

.... Respondents

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Appearance :

For the Petitioner : Mr. Mithilesh Kr. Rai,
Mr. Virendra Kumar Ray, Advocates
For the State : Mr. Krishna Chandra, A.C. to A.G.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 05-05-2017

Heard parties.

Through this writ application, the petitioner seeks quashing of the decision of the State Sentence Remission Board communicated vide letter no.5015 dated 17.08.2016 by which the petitioner's request for premature release was refused on the ground that opinion of the Presiding Judge was not clear.



A counter affidavit has been filed on behalf of the State taking a stand in paragraph no.8 that opinion of the Presiding Court was again sought, which has been received and the same would be put up before the Remission Board in next meeting for its consideration in accordance with law and, thereafter, the department concerned will act accordingly.

Accordingly, this writ application stands disposed of with a direction to the respondents to put up the matter for consideration of the Board in its next meeting.

(Dr. Ravi Ranjan, J)

(Vikash Jain, J)

Sanjay-II/-

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