

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.383 of 2017

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Sidheshwar Yadav, son of Late Baleshwar Yadav, resident of Village- Dhusari,
P.S.- Atri, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department, of Home Government of Bihar, Patna.
2. The Secretary, Department of Home, Government of Bihar, Patna.
3. The Bihar State Sentence Remission Board through it's Chairman.
4. Inspector General of Prison Bihar, Patna.
5. The Superintendent of Jail Central Jail Gaya.
6. The Superintendent of Police, Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar,
Mr. Priya Ranjan,
Mr. Amit Kumar Singh, Advocates.
For the Respondents : Mr. Krishna Chandra, AC to AG

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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: 11-05-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

This writ application has been filed by the petitioner for a
direction to the respondents for his premature release, who is serving
sentence for life imprisonment on his conviction under Section 302
I.P.C. in Sessions Trial No. 397 of 1999/485 of 1988 by 7th Additional
Sessions Judge, Gaya. Petitioner claims that he has remained in jail for
more than 14 years and after addition of remission period, period of



incarceration comes to 20 years, thus, he should be considered by the competent authority for his pre-mature release.

A counter affidavit has been filed on behalf of the respondent nos. 1 to 5 appending the decision of the Bihar State Sentence Remission Board, from which it appears that there is already a recommendation at serial no. 93 for pre-mature release of the petitioner. A statement has been made at the Bar that the concerned file has already been transmitted to the Department of Law thereafter.

Accordingly, this writ application stands disposed of with a direction to the respondent authorities to take consequential steps expeditiously in accordance with law with respect to the recommendation made by the Bihar State Sentence Remission Board.

(Dr. Ravi Ranjan, J)

Md. Ibrarul/-

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
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