

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.338 of 2017

- =====
1. Krishna Bihari Pandey @ Kirtani Pandey, Son of late Shiv Yogi Pandey
 2. Nirmal Kumar Pandey Son of Late Shiv Narain Pandey
 3. Narayan Pandey Son of Krishna Bihari Pandey
- All are Residents of Village-Rampatti Simri, P.S.-Simari, District-Buxar.

.... Petitioners

Versus

1. The State of Bihar
2. Chief Secretary, Government of Bihar, Patna.
3. Principal Secretary Department of Home (Prison, Government of Bihar, Patna
4. Secretary Department of Law, Government of Bihar, Patna
5. Inspector General, Prison and Reform Service, Government of Bihar, Patna.
6. The State Sentence Remission Board through its Secretary, of Bihar, Patna.
7. Superintendent Central Jail, Buxar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Imteyaz Ahmad, Advocate
Mr. Amit Kumar, Advocate
Mr. Ravi Ranjan, Advocate
For the Respondent/s : 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: 08-05-2017

Heard learned counsel for the petitioners and the State.

This application has been filed by the petitioners for their premature release as they have completed more than 20 years in incarceration along with remission in view of their conviction by the Additional Sessions Judge-1, Buxar in Sessions Trial No.273 of 1991 arising out of Simri P.S. Case No.149 of 1989.

A supplementary counter affidavit has been filed on



behalf of State disclosing in paragraph 5 that the Bihar State Sentence Remission Board has already recommended for premature release of the petitioners. Though Annexure-A has been appended but it is submitted at the time of hearing that by mistake only recommendation of petitioner no.1 has been appended and the recommendation of petitioner nos. 2 and 3 for their release could not be appended.

However, in view of such statement made on behalf of the State at the time of hearing of this case that the Board has recommended for premature release of all the three petitioners, this writ application stands disposed of with a direction to the respondents to take consequential steps in view of such recommendation in accordance with law expeditiously.

(Dr. Ravi Ranjan, J)

(Vikash Jain, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.05.2017
Transmission Date	N.A.

