

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.983 of 2017

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Bishwanath Rai, Son of Late Deonath Rai, Resident of Village-Mashahan, P.S.-
Marhaurah, P.O.-Shiv Mahmadpur, District-Chapra.

.... 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. The 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 District & Sessions Judge, Saran at Chapra.
8. The Superintendent of Police, Saran at Chapra.
9. The Superintendent, Central Jail, Motihari.
10. The State Sentence Remission Board through its President/Chairman.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray, Advocate
Mr. Mithilesh Kumar Rai, Advocate
For the Respondent/s : Mr. P.N. Sharma, AC to AG.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 11-07-2017

This application has been filed by the petitioner, who is serving life sentence after his conviction in Sessions Trial No.37 of 2002 under Sections 302/34 and other allied sections of the Indian Penal Code, for premature release.

It is contended on behalf of the petitioner that he has already completed the qualifying period of incarceration along with



remission for his premature release in terms of State Sentence Remission Policy.

A counter affidavit has been filed on behalf of respondent nos. 1, 2, 3 and 10. A stand has been taken in paragraph 7 that the proposal for premature release of the petitioner has been received in the department and the same will be put up before the Remission Board in its next meeting for its consideration.

In above view of the matter, we are inclined to dispose of the writ application directing the State authorities to put up the matter of the petitioner before the Bihar State Sentence Remission Board so that it could be considered by it 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.
Uploading Date	13.07.2017
Transmission Date	N.A.

