

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.174 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- SAMASTIPUR

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1. Ram Lalit Jha @ Lalan Jha, son of Late Nacho Jha, Resident of Village- Guruwara Tole, Tal Dasraha, P.S. Muffasil Samastipur, District- Samastipur.
 2. Kishori Lal Chaudhary, son of Late Raghunath Chaudhary, Resident of Village- Mohanpur Muraul, P.S. Kurhani, District- Muzaffarpur.
 3. Hazari Lal Chaudhary, son of Late Judagi Chaudhary, Resident of Village- Khutahi, P.S. Paroo, District- Muzaffarpur.
 4. Rama Shankar Singh, son of Late Dharkhan Singh, Resident of Village- Sugiya Katsari, P.S. and District- Sheohar.
 5. Sarbjit Singh, son of Late Tej Narayan Singh, Resident of Village- Sugiya Katsari, P.S. and District- Sheohar.
 6. Sanjay Singh, son of Rajan Singh, Resident of Village- Sugiya Katsari, P.S. and District- Sheohar.
 7. Vishwanath Singh, son of Ramchandra Singh, Resident of Village- Sugiya Katsari, P.S. and District- Sheohar.
 8. Narendra Singh, son of Suraj Singh, Resident of Village- Sugiya Katsari, P.S. and District- Sheohar.
 9. Nanhe Sahani, son of Late Rameshwar Sahani, Resident of Village- Bochahan Bhagwanpur, P.S. Bochahan, District- Muzaffarpur.
 10. Md. Anjar, son of Late Amin, Resident of Village- Brahmpur, P.S. Kamtaul, District- Darbhanga.
 11. Chandeshwar Thakur, son of Late Bujhawan Thakur, Resident of Village- Pagahiyan, P.S. Kathaiya, District- Muzaffarpur.
 12. Mohan Thakur, son of Late Sukan Thakur, Resident of Village- Bishunpur Saraiya, P.S. Deoriya Kothi, District- Muzaffarpur.
 13. Shiv Chaudhary, son of Asarfi Chaudhary, Resident of Village- Jagdishpur, P.S. Sahebganj, District- Muzaffarpur.
 14. Rabindra Pandey, son of Late Bikau Pandey, Resident of Village- Bishnupur Saraiya, P.S. Parihar, District- Sitamarhi.
 15. Brihaspati Sahani, son of Late Makhan Sahani, Resident of Village- Kasmabarar, P.S. Khajauli, District- Madhubani.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The State Sentence Remission Board through the Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Joint Secretary-cum-Director (Administration), Home Department (Prison), Bihar, Patna.
4. The Secretary, Law Department, Government of Bihar, Patna.
5. The Additional Director General of Police, Criminal Investigation Department, Bihar, Patna.
6. The Inspector General, Jail Reforms Services, Bihar, Patna.
7. The Assistant Inspector General, Jail and Reforms Services, Bihar, Patna.
8. The Jail Superintendent, Khudi Ram Bose Central Jail, Muzaffarpur.

.... Respondents



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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Respondent/s : Mr. Prabhu Narayan Sharma, 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: 22-03-2017

Heard learned counsel for the petitioners and the State.

Through this writ application, the petitioners seek direction for their release on the ground that they have completed more than 21 years with remission taking into consideration that they are covered under 1984 Policy.

A counter affidavit has been filed on behalf of respondent nos. 1 to 3 and 6 to 8. It is admitted position that now Remission Board has taken a decision and 14 petitioners out of 15 would be released. So far as the petitioner no.9 is concerned, it is contended that earlier proposal was only with respect to the parole, therefore, the Remission Board has sought further report from the Superintendent of Police and a decision would be taken soon after such proposal is received from the office of the Senior Superintendent of Police.

Accordingly, this writ application is disposed of with a direction that the Senior Superintendent of Police, Muzaffarpur would be required to send report/proposal in accordance with law within a period of one month. Thereafter, let the same be considered in



accordance with law by the Remission Board in its next meeting after receipt of such report.

(Dr. Ravi Ranjan, J)

(Vikash Jain, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	24.03.2017
Transmission Date	N.A.

