

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2493 of 2017

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Rohit Yadav, son of Late Charita Yadav, Resident of Village- Baburahi,
P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Home Department,
Patna Bihar.
2. The Chief Secretary, Bihar, Patna.
3. The Inspector General (prisoner), Bihar, Patna.
4. The Deputy Superintendent, Mandal Kara, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Respondent/s : Mr. Prabhu Narayan Sharma, A.C. to A.G.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

2 29-11-2017

Heard parties.

This writ petition has been filed for premature release of the petitioner, who is serving life sentence, in view of his conviction for life in Sessions Trial No. 262/1998 arising out of Sahebpur Kamal P.S. Case No. 27/1998 under Section 302 read with Section 149 of the Indian Penal Code. He has also been sentenced to undergo rigorous imprisonment for 7 years under Section 27 of the Arms Act by the learned 5th Additional Sessions Judge, Begusarai.

It is contended that petitioner has already completed the required period of incarceration entitling him for



consideration for premature release in terms of the short sentencing policy of the State.

Accordingly, this writ application stands disposed of with a direction to the respondent authorities to examine the case of the petitioner. If he is found to have completed the required period of incarceration and is otherwise eligible for consideration of premature release under the relevant policy of the State then his case should be forwarded to the Bihar State Sentence Remission Board after completing all the formalities so that a decision should be taken by Sentence Remission Board in its next meeting after receipt of such recommendation of the authorities.

It is expected that the competent authority will transmit the case of the petitioner to the Bihar State Sentence Remission Board after completing all the required formalities within a period of three months.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

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