

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2669 of 2017

Arising Out of PS. Case No.-46 Year-1996 Thana- DAUDPUR District- Saran

Hardeo Rai, son of Late Ram Jee Rai @ Tuna Rai, resident of village-Soniya,
P.S.-Daudpur, District-Chapra (Saran), Bihar. Petitioner/s

Versus

The State of Bihar through the Chief Secretary Government of Bihar at Patna
& Ors. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Advocate
For the State	:	Mr. P.N. Sharma, AC to AG.
For the Civil Court	:	Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 13-12-2017

As prayed, the petitioner is permitted to delete the
respondent no.9 in course of the day.

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is
serving life sentence in connection with Sessions Trial
No.427/1996 arising out of Daudpur P.S. Case No. 46/1996 after
his conviction under Sections 302/201 of the Indian Penal Code,
seeks direction for his premature release under the Short
Sentencing Policy of the State as he claims that he has already
completed the qualifying period of incarceration entitling him of
such benefit.

Having regards to the aforementioned facts and
circumstances, this writ application stands disposed of with a



direction to the respondents to examine the matter of the petitioner and if it is found that he has completed the required period of incarceration for consideration under the Short Sentencing Policy of the State of Bihar then his case should be considered in accordance with law and the matter should be sent to the Remission Board for its consideration in accordance with law. However, if the petitioner's claim is not found tenable then a reasoned order would be required to be passed and a copy of the same should be supplied to the petitioner. The petitioner would be at liberty to assail the same before the competent forum.

It is expected that the whole exercise would be completed by the respondent authorities within a period of three months from the date of receipt/production of a copy of this order so that the matter could be forwarded to the Bihar State Sentence Remission Board for its consideration 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	15.12.2017
Transmission Date	N.A.

