

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2032 of 2017

Arising Out of PS. Case No.-4 Year-2002 Thana- NAVHATTA District- Rohtas

Rupdev Yadav @ Rupu

... .. Petitioner/s

Versus

The State of Bihar through Chief Secretary, Government of Bihar, Patna &
Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh NarayanSingh, Advocate
For the State	:	Mr. Prabhu Narayan Sharma, AC to AG.
For U.O.I	:	Mr. S.D. Sanjay, A.S.G.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 01-11-2017

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is serving life sentence in connection with Case No. RC 4 (S)/2002 arising out of Nauhatta P.S. Case No. 4/2002 after his conviction under Sections 148, 302, 323, 353/149 of the Indian Penal Code, Section 27 of the Arms Act and under Sections 3 (2) (1) and 22 (5) of Terrorism Act, 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 four 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.
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