

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1143 of 2018

Arising Out of PS. Case No.-46 Year-1997 Thana- SONEPUR District- Saran

=====

Dudhesh Sharma @ Dudhesh Singh, son of late Chandradip Sharma, resident
of Village Babhan Toli Sabalpur, P.S. Sonepur, District, Saran at Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar Through Chief Secretary Govt. Of Bihar
2. The State Sentence Remission Board through the Principal Secretary,
Home Department Govt. of Bihar, Patna
3. Joint Secretary-cum-Director Administration Home Department
(Prison) Bihar, Patna
4. The Secretary Law Department, Govt. of Bihar
5. The Additional Director General of Police Criminal Investigation
Department, Govt. of Bihar, Patna
6. The Inspector General Jail and Reforms Services Bihar, Patna
7. The Assistant Inspector General Jail and Reforms Services, Bihar,
Patna
8. The Superintendent of General Jail, Buxar Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dauvdar Pd. Tiwary,
Mr. Bimalesh Kumar
Mr. Prakash Shekhar Kumar, Advocates
For the Respondent/s : Mr. P.K. Verma (Aag3)

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL JUDGMENT
(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 18-04-2018

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is
serving life sentence in connection with Sessions Trial Nos.512 of



1997 / 187 of 1997 arising out of Sonepur P.S. Case No. 46/1997 after his conviction under Section 302 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. 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)

(Prakash Chandra Jaiswal, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2018
Transmission Date	NA

