

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2793 of 2017

Arising out of P.S. Case No.- Year- Thana- District- West Champaran

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1. Md. Istehar @ Md. Estehar Dewan,
 2. I. Md. Hasmullah @ Hasmullah Dewan, Both Sons of Late Md. Issa Dewan, R/o Village- Turha Patti (Tarwa Tola), P.S.- Chanpatia, District- West Champaran. Petitioner/s
- Versus
1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The State Sentence Remission Borad through the Principal Secretary, Home Department , Government of Bihar, Patna.
 3. The Joint Secretary Cum Government of 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 Services, Bihar, Patna.
 7. The Assistant Inspector General, jail and Reforms Services, Bihar, Patna.
 8. The Jail Superintendent , Shahi Khudi Bose, Central jail, Muzaffarpur. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advcoate.
For the Respondent/s: Mr. P.N. Sharma, AC to AG

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 03-01-2018

Heard learned counsel for the petitioners and the State.

In view of the stand taken by the learned counsel appearing for the State and the counter affidavit filed on behalf of the State, this writ application is being disposed of with a direction to the respondent authorities to examine the matter of the petitioners and if it is found that they have



completed the required period of incarceration for consideration under the Short Sentencing Policy of the State of Bihar then their case should be considered in accordance with law and the matter should be sent to the Remission Board for its consideration.

It is expected that the whole exercise would be completed by the respondent authorities within a period of two 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.

We make it clear that while considering the case of the petitioners the competent authority should also consider the decision of a Division Bench of this Court reported in **2017(2) PLJR 201 [Ravi Pratap Mishra Vs. The State of Bihar & Ors.]**

(Dr. Ravi Ranjan, J)

Vikash/-

(Anjana Mishra, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.01.2018
Transmission Date	NA

