

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2567 of 2018

Sanichar Sahni, Son of Bishwanath Sahni, Resident of Mohalla- Nakhas,
P.S. Hajipur (Town), District- Vaishali. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary (Home).
2. The Inspector General of Prison and Correctional Services, Government of Bihar, Patna.
3. The Superintendent, Hajipur Jail at Vaishali, Bihar.
4. The Superintendent of Police, Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Wasi Ahmad Khan, Advocate Mr. Najeeb Ahmad, Advocate
For the Respondent/s	:	Mr. P.N. Sharma, AC to AG

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 26-10-2018

Heard learned counsel for the petitioner and the State.

Through this writ application, the petitioner, who is serving life sentence in connection with Sessions Trial No. 122/2002 arising out of Hajipur Town P.S. Case No. 592 of 2001 after his conviction under Section 120 (B) 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)

(Madhuresh Prasad, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	29.10.2018
Transmission Date	N.A.

