

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.952 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- BHAGALPUR

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Upendra Kumar Yadav, S/o Bhudeo Yadav, Resident of Village- Kishanpur,
P.S.- Nathnagar, District- Bhagalpur. Petitioner.

Versus

1. The State of Bihar.
 2. The Principal Secretary, Department of Home, Bihar, Patna.
 3. The Director General of Police, Bihar, Patna.
 4. The Inspector General, Prison, Bihar, Patna.
 5. The Assistant Inspector General, Prison, Bihar, Patna.
 6. The State Sentence Remission Board, through I.G. Prison, Bihar, Patna.
 7. The Jail Superintendent, Bishesh Kendriya Kara, Bhagalpur.
- Respondents.
- =====

Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey, Advocate.

For the Respondent/s : Mr. Ajay Kumar Sharma, AC to AG.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 30-03-2018

This writ application has been filed by the petitioner for premature release of his father, who has been convicted under Section 302 of the Indian Penal Code and under Section 27 of the Arms Act and has been sentenced for life imprisonment and rigorous imprisonment for three years, in terms of the Short Sentencing Policy of the State, on assumption that he has completed 14 years of actual imprisonment and more than 20 years with remission. Thus, the petitioner's father is entitled for consideration of premature release.

Be that as it may, in our view, if the petitioner's



father is entitled for consideration of premature release after completion of 14 years of actual imprisonment and more than 20 years of imprisonment with remission, necessary steps has to be taken by the respondent authorities so that the matter of petitioner's father could be considered by the State Sentence Remission Board in its next meeting in accordance with law.

With the aforesaid observation and direction, this writ application stands disposed of.

(Dr. Ravi Ranjan, J.)

(Prakash Chandra Jaiswal, J.)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2018
Transmission Date	03.04.2018

