

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6482 of 2018

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In The Matter Of Letter Of Rupam Kumari

... .. Petitioner/s

Versus

1. The State Of Bihar & Ors
2. The Inspector General of Jail, Patna, Bihar
3. The Jail Superintendent, Banka, Bihar
4. The Superintendent of Police, Banka

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-04-2018

Having considered the averments made in the application and taking note of the assistance granted to us by the learned Advocate General, we find that petitioner's father Shri Raj Kishore Mishra @ Raja Mishra has been convicted in Sessions Case No.722 of 2000 vide judgment dated 17.8.2002 passed by the learned 3rd Additional Sessions Judge, Banka convicting him for an offence under Section 302 of I.P.C. read with Section 27 of the Arms Act and sentencing him to undergo life imprisonment.

Once the conviction has been ordered and it has not been challenged for all these 16 years, in case the petitioner feels that now her father is entitled for release on remission or any other provision of law, the petitioner may represent the matter to the competent authority of the State Government and it would be for



the authority in exercise of its statutory power to consider the grievance of the petitioner.

Learned Advocate General is requested to place the matter before the appropriate authorities of the State Government to consider the feasibility of granting any pardon or remission to the petitioner's father.

We may clarify that we have not expressed any opinion on the merit of the matter which would be for the State to consider the claim for release of the petitioner's father on merits in accordance with law and decide the question taking note of the legal provisions and the judgments of the Hon'ble Supreme Court in this regard.

With the aforesaid, this application is disposed of.

A copy of this order be forwarded to the petitioner to the address given.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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