

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.590 of 2018

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Rampratap Rai, S/o Vindhyachal Rai, R/o Village- Dehri, P.S.- Rajpur,
Distt.- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar, Through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The I.G. Prison, Govt. of Bihar, Patna.
3. The Superintendent Jail Buxar, Bhojpur , District- Ara.
4. The Superintendent of Police Bhojpur, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh
For the Respondent/s : Mr. Manish Kumar (GP 4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-03-2018 Petitioner in this case is seeking a direction to the respondents to release the petitioner on parole for the purpose of marriage of his son. In the application initially filed the scheduled dates for ceremony of marriage had been shown in between 20.02.2018 to 06.03.2018, however, by filing a supplementary affidavit, learned counsel for the petitioner has brought to the notice of this Court that now the marriage ceremony has been fixed between 16th April, 2018 to 20th April, 2018.

It is the contention of the petitioner that he has filed an application for parole release before the Jail Superintendent, Buxar and the Jail Superintendent vide letter no.235 dated 20.01.2018 sent it to the S.P., Buxar and a letter in this regard has



also been sent to the Probation Officer, Buxar vide letter no.236 dated 20.01.2018 for consideration of the same, but despite all these exercise his application has not been considered as a result of which petitioner has been compelled to move this Court seeking a direction to that effect.

Learned counsel for the State submits that vide Annexure-A to the counter affidavit filed on behalf of the respondent no.4, the S.P., Buxar has forwarded the verification report being memo no.570/GO dated 12.01.2018 to the Superintendent, Central Jail, Buxar.

Having heard learned counsel for the petitioner and learned counsel representing the State, without entering into the merit of the contention of the petitioner, at this stage, this Court would only direct the State respondents that if an application filed by the petitioner for his release on parole is pending consideration, such consideration is required to be given within a reasonable time, otherwise it may have no purpose left.

In this case from the counter affidavit of the respondent no.4 itself it appears that he has already sent verification report to the Superintendent, Central Jail, Buxar. If such a report has already been submitted and other requirement of law and the guidelines on its behalf laid down from time to time



by the competent authorities are fulfilled, this Court is unable to understand as to why the application of the petitioner has not been considered and disposed of within a reasonable time. I, therefore, direct the competent authority to dispose of the application preferred by the petitioner for his release on parole in accordance with law and in terms of the guidelines within a period of two weeks from the date of receipt/production of a copy of this order.

It is made clear that this Court has not gone into the merits of the application and has not expressed any opinion with regard to the same.

The writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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