

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.176 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Patna

Parwati Devi, wife of Manager Rai, resident of village Dudhiya, P.S. Akilpur,
Danapur, District, Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar,
Patna
2. The Home Secretary, Home Department, Govt. of Bihar, Patna
3. The D.G.P. Govt. of Bihar, Patna
4. The I.G. (Prison) Home Department, Govt. of Bihar, Patna
5. The Assistant I.G. (Prison), Home Department, Govt. of Bihar, Patna
6. The Jail Superintendent, Central Jail, Bhagalpur
7. The District Magistrate, Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate

For the Respondent/s : Mr. Ajay Kumar Sharma, A.C. to A.G.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE PRAKASH CHANDRA

JAISWAL

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 15-01-2018

The defects are ignored.

This case is being disposed of at this stage with consent
of the parties.

Heard.

Through this writ application, the petitioner claims that
her husband, namely, Manager Rai, who is serving life sentence



in view of the judgment of conviction and order of sentence dated 31.07.1987 in connection with G.R. Case No.975/80, has completed his custody for more than 12 years and seeks direction for premature release in terms of Rule 483 of the Bihar Prison Manual, 2012 as it is contended that husband of the petitioner is 77 years old and is seriously ill. In fact he is not recognizing anybody also which would be apparent from Annexure 5, i.e, Bed-Head Tickets of the hospital.

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 husband of the petitioner and if it is found that he has entitlement 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 claim of the petitioner 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.

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)

(Prakash Chandra Jaiswal, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.01.2018
Transmission Date	NA

