

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1271 of 2018

Arising Out of PS. Case No.-81 Year-1998 Thana- CHAUSA District- Madhepura

Sanjay Mandal son of Sahdeo Mandal, resident of Village-Arajpur Tola,
Bhittha, P.S. Chausa, District Madhepura.

... .. Petitioner/s

Versus

1.The State Of Bihar, Through The Principal Secretary, Deptt. Of Home,
Govt. Of Bihar, Patna.
2.The Jail Superintendent, Central Jail, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Adv
For the Respondent/s : Mr. Lalit Kishore(AG)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 04-05-2018

Heard learned counsel for the parties.

It appears from Annexure-6 that it has been issued by the Superintendent, Open Jail, Buxar with respect to petitioner namely, Sanjay Mandal s/o Sahdeo Mandal, who had already completed 16 years 7 Months and 3 Days of actual incarceration and with earned remission, the period of incarceration is 20 Years 11 Months and 19 Days as on 25.12.2017. As such, it is claimed that he is entitled to be considered for his premature release in terms of the short sentence policy of the State.

However, it is contended on behalf of the petitioner that the Presiding Officer or the concerned court, has not sent the



opinion as yet.

Accordingly, this writ application stands disposed of with a direction to the Presiding Officer, (A.D.J. 1st, Madhepura) to send his opinion within a period of two weeks from the date of receipt/production of a copy of this order, if such opinion has been sought by the concerned Jail Superintendent. In case, such opinion has not been sought as yet then the requisition should be sent immediately by the concerned Jail Superintendent, if he is of the opinion that the petitioner stands qualified for such consideration. In case the petitioner is not found entitled then a reasoned order would be required to be passed.

In any manner, petitioner's case should be finally considered by the concerned authority including the State Sentence Remission Board within a period of four months.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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