

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1848 of 2018**

Arising Out of PS. Case No.-86 Year-1983 Thana- SAHEBPUR KAMAL District- Begusarai

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Janardan Mahto S/o Daho Mahto Resident of Village - Sadpur, P.S. Sahebpur  
Kamal, District Begusarai. ... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Home ( Police ) Department,  
Government of Bihar, Patna.
  2. The Law Secretary, Bihar, Patna.
  3. Superintendent Central Jail, Bhagalpur.
  4. The Superintendent of Police, Begusarai.
  5. District Magistrate, Begusarai. ... .. Respondent/s
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**Appearance :**

For the Petitioner/s : Mr. Vinod Gautam, Advocate  
For the Respondent/s : Mr. P.N.Sharma, AC to AG.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

**and**

**HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)**

**Date : 14-09-2018**

As prayed, learned counsel for the petitioner is  
permitted to remove the defect (s) in course of the day.

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is  
serving life sentence in connection with S.T. Case No. 28 of 1984  
arising out of Sahebpur Kamal P.S. Case No.86 of 1983, seeks  
direction for his premature release under the Short Sentencing  
Policy of the State as he claims that he has already completed the  
qualifying period of incarceration entitling him of such benefit.

Having regard to the aforementioned facts and  
circumstances, this writ application stands disposed of with a



direction to the respondents to examine the matter of the petitioner and if it is found that he has completed the required period of incarceration for consideration under the Short Sentencing Policy of the State of Bihar 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 petitioner's claim 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. The petitioner would be at liberty to assail the same before the competent forum.

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)**

**( Madhuresh Prasad, J)**

Sanjay/-

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| AFR/NAFR          | N.A.F.R.   |
| CAV DATE          | N.A.       |
| Uploading Date    | 14.09.2018 |
| Transmission Date | N.A.       |

