

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1812 of 2018

Arising Out of PS.Case No. -13 Year- 1988 Thana –Kargahar, District- SASARAM (ROHTAS)

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1. Sital Singh S/o Late Yadunandan Singh, R/o Vill.- Mainpur (Baradin Tola), P.S.-
Kochas, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar, Through The Principal Secretary, Home Department Govt. of Bihar, Patna- 800015.
2. The Inspector General of Police (Prisoner), Bihar, Patna.
3. The Deputy Inspector of Police (Prisoner) Bihar Patna.
4. The Superintendent of Central Jail Buxar.
5. The Superintendent of Police Rohtas at Sasaram.
6. Ajay Kumar Rasik, Drugs Inspector, Arrah- Sub - Division Bhojpur, Arrah.

.... Respondent/s

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 03-08-2018

Heard learned counsel for the parties.

Through this writ application, the petitioner, who is serving life sentence in connection with Sessions Trial No.81/48 of 1985/1988 arising out of Kargahar P.S. Case No.13 of 1976 after his conviction, 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 regards to the aforementioned facts and circumstances, this writ application stands disposed of within 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 teneable 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)

Sanjeev/-

(S. Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	/08/2018
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