

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6815 of 2006

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Sushil Jha, s/o late Lakshmeshwar Jha, r/o vill-Bhoj Pandaul, PS-Bishfi, Dist-Madhubani, Bihar

.... Petitioner/s

Versus

1. The State of Bihar through home Secretary-cum-Commissioner, Govt. of Bihar, Old Secretariate Building, Patna
2. The Inspector General (prisons), Home (Prisons) Department, Govt. of Bihar, Old Secretariat, Patna
3. The Superintendent of Jail, Bagaha Division Kara-Bagha, Dist-West Champaran at Bettiah
4. The Superintendent of Jail, Beur Adarsha jail, Beur road, Patna, Dist-Patna
5. The Superintendent of Central jail, Khudi Ram Bose Central jail, Muzaaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Respondent/s : Mr. (SC18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 30-08-2018

1. The petitioner has failed to challenge the appellate order dated 12.01.2005, whereby and whereunder certain punishments have been inflicted upon the petitioner on the ground that while the petitioner was posted at Sub-Jail, Bagaha, 11 under-trial prisoners had escaped.

2. The learned counsel for the petitioner submits that one criminal case was also instituted against the petitioner and others but the petitioner has been acquitted in the said case, hence a liberal view may be taken in the present case.

3. In view of the aforesaid, the present writ petition is disposed of with liberty to the petitioner to approach respondent no. 2



for modification of the punishments awarded to him by taking a liberal view and in case, the petitioner approaches respondent no. 2, the respondent no. 2, after considering the fact that the petitioner has been acquitted in the criminal case, shall pass a detailed and reasoned order regarding the appropriateness of the punishment already awarded within a period of 08 weeks thereafter.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

