

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1134 of 2017

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Manoj Yadav, son of Shatrughan Yadav, resident of Shripur, P.S. –
Madhepura, district – Madhepura.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar,
Patna.
3. The Secretary, Department of Law, Government of Bihar, Patna.
4. The Inspector General, Jail and Probation Home Department, Bihar,
Patna.
5. Probation Officer, Home (Jail) Department, Madhepura.
6. The Superintendent of Police, Madhepura
7. The Jail Superintendent, Madhepura, District – Maadhepura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha

For the Respondent/s : Mr. Prabhat Kumar Verma (AAG-3)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5. 09-05-2018 Today a supplementary counter affidavit has
been filed on behalf of the respondent nos. 1, 2, 4 and 7
which has been sworn by the Jail Superintendent,
Madhepura.

According to the counter affidavit, the
petitioner has completed mandatory 14 years of actual
custody and 20 years of custody with remission for
consideration and recommendation by the Board. Further the
Remission Board has already considered the matter of the
petitioner on 03.05.2018 and has recommended to the Law
Department for issuing release order after obtaining consent



of the Government.

This being the position, the writ application is being disposed of with a direction to the Secretary, Department of Law (respondent no. 3) to look into the recommendation sent by the Remission Board on 03.05.2018 and complete the further requirements in accordance with law as early as possible, because it is the case of the petitioner that he is languishing in jail since June 2015 in absence of consideration of his case which was similarly situated to the co-accused who have already been released on completion of the mandatory period of sentence with remission.

It is expected that the necessary orders shall be passed within a period of two weeks from the date of receipt/production of a copy of this order.

This writ application stands disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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