

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1069 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- MUZAFFARPUR

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Ram Sagun Mahto, son of Late Ram Lakh Mahto, resident of village Mustafapur,
P.S. Bibhutipur, District Samastipur. Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The State Sentence Remission Board through the Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Joint Secretary-cum-Director (Administration), Home Department (Prison), Bihar, Patna.
4. The Secretary, Law Department, Government of Bihar, Patna.
5. The Additional Director General of Police, Criminal Investigation Department, Bihar, Patna.
6. The Inspector General, Jail and Reforms Services, Bihar, Patna.
7. The Assistant Inspector General, Jail and Reforms Services, Bihar, Patna.
8. The Jail Superintendent, Khudi Ram Bose Central Jail, Muzaffarpur.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate.
For the Respondent/s : Ms. Prachi Pallavi, AC to AG.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 13-04-2018

This writ application has been filed by the petitioner, who has been convicted for life under Section 396 of the Indian Penal Code in Session Trial No.149 of 1999, for his premature release, in terms of the Short Sentencing Policy of the State, on assumption that he has already completed more than 19 years of actual incarceration and 22 years with remission.

Be that as it may, in our view, if the petitioner is entitled for consideration of his premature release a final decision would be



taken by the respondent authorities within a period of three months from the date of receipt/production of a copy of this order so that his matter could be considered by the State Sentence Remission Board within the aforesaid period in accordance with law. However, if he is not found entitled then a reasoned order should be passed and communicated to the petitioner within the aforesaid period.

With the aforesaid observation and direction, this writ application stands disposed of.

(Dr. Ravi Ranjan, J.)

(Prakash Chandra Jaiswal, J.)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2018
Transmission Date	25.04.2018

