

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.208 of 2019

Arising out of PS. Case No.-36 Year- 1991 Thana- Mohiuddinnagar District- Samastipur

Bachchu Rai, aged about 43 years (Male), son of Late Khobhi Rai Vill-
Chiknauta, P.S-Hazipur, Distt.-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Chief Secretary Government of Bihar At Patna
2. The Secretary, Home Department cum Chairman State Sentence Remission Board, Bihar, Patna Patna
3. The Commissioner, Home Special Government of Bihar, Patna
4. The Inspector General (Prison) Government of Bihar, Patna.
5. The Jail Superintendent, Open jail Buxar. Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Advocate
For the Respondent/s	:	Mr. Prabhu Narayan Sharma, A.C. to A.G.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-01-2019 Heard Shri Umesh Prasad, learned counsel for the

petitioner and Shri Prabhu Narayan Sharma, Assistant Counsel

to Advocate General for the State-respondents.

This petition has been filed for a mandamus directing

the Respondent No. 2 to consider the request of remission of the

petitioner in view of the period of incarceration already suffered

by the petitioner as disclosed in the chart of the Jail

Superintendent, Buxar dated 4th January, 2019.

As on date if the data indicated in the said chart is



correct, the petitioner must have completed 20 years of incarceration.

In the background aforesaid, since the petitioner was convicted on 23rd of September, 1998 by the trial court in Sessions Trial No. 21 of 1992, let the Respondent No. 2 consider the claim of the petitioner in accordance with law and the policy as would be applicable at the time of his conviction within a period of three months from the date of presentation of certified copy of this order or in the meeting of the Remission Board whenever it is conducted next.

The writ application stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

P.K.P./-Jagdish

