

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.214 of 2019

Arising Out of PS. Case No.-82 Year-1989 Thana- NARPATGANJ District- Araria

Mahanand Yadav, S/o. Tirthanand Yadav, resident of village-Jharkaha, P.S-
Narpatganj, Distt.-Arariya.

... .. Petitioner/s

Versus

1. The State Of Bihar through The Chief Secretary, Government Of Bihar At Patna, Bihar
2. The Secretary, Home Department cum Chairman State Sentence Remission Board, Bihar, Patna Patna
3. The Commissioner, Home Special Government of Bihar, Patna. Patna
4. The Inspector General(Prison) Government of Bihar, Patna. 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. P.N. Sharma, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-02-2019

The contention raised by Shri Umesh Prasad, learned counsel for the petitioner, is that the petitioner has already served more than 20 years of incarceration as per the supplementary affidavit filed by him. He further contends that the date of conviction being 08.12.1994, the claim of the applicant shall be considered in accordance with the policy existing then.

Learned counsel for the State of Bihar submits that in the said background, in the event the petitioner has served out



the said sentence, his claim can be placed for consideration before the Remission Board.

Accordingly, we dispose off this petition with liberty to the petitioner to approach the second respondent seeking the relief of remission as prayed for which shall be considered in accordance with the current policy or for such other orders that may be necessary in the background aforesaid within a period of three months from the date of receipt/production of a certified copy of this order or the next meeting, whenever it is convenient.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/Uma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.02.2019
Transmission Date	N/A

