

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.817 of 2019

Arising Out of PS. Case No.-120 Year-1983 Thana- CIVIL LINE District- Gaya

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Bijay Rawani @ Natu @ Natu Rawani, son of- Dwarika Singh @ Dwarik Singh, Resident of Mohalla-Samir Takiya, P.S. Rampur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Government of Bihar, Patna.
2. The Secretary, Department of Home, Government of Bihar, Patna.
3. The Bihar State Sentence Remission Board through it's chairman.
4. Inspector General of Prison, Bihar, Patna.
5. The Superintendent of Jail, Central Jail, Gaya.
6. The Superintendent of Police, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
Mr. Priya Ranjan, Advocate
Mr. Agreya Pratap, Advocate

For the State : Mr. Prabhu Narayan Sharma, AC to AG

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-05-2019 Heard learned counsel for the petitioner and the learned counsel for the State.

The consideration for remission is pending before the State Government as is evident from the written instructions received by the learned counsel for the State where the Joint Secretary-cum-Director (Administration), Prisons and Correctional Services, Bihar, Patna has stated that the proposal



for premature release of the petitioner has been sent by the Superintendent, Central Jail, Gaya to the Inspector General of Prisons, Bihar, Patna for being placed before the Remission Board. The said proposal is likely to be considered by the Remission Board in the next meeting. Learned counsel for the State submits that on account of the ensuing Parliamentary Elections the question of release can only be considered after the elections are over which is shortly going to conclude.

In view of the aforesaid instructions received on behalf of the respondents, we dispose of this petition observing that the proposal for the claim of premature release in accordance with the Rules shall be considered by the Remission Board whenever the meeting is convened next and its decision shall be implemented accordingly.

Instructions produced by the learned counsel for the State are kept on record.

Disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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