

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.574 of 2019

Arising Out of PS. Case No.-76 Year-2000 Thana- SAHEBPUR KAMAL District- Begusarai

Manjesh Kumar, Son of Ramanand Yadav, Resident of Naya Tola Sahebpur
Kamal, P.S- Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Home, Bihar , Patna
3. The Director General of Police, Bihar, Patna
4. The Inspector General, Prison, Bihar, Patna
5. The Assistant Inspector General, Prison, Bihar, Patna.
6. The State Sentence Remission Board, through I.G. Prison, Bihar Patna.
7. The Jail Superintendent, Central Jail, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey, Advocate
For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to AG

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-04-2019 The petitioner is the son of one Ramanand Yadav, who has been convicted and is undergoing sentence. The petitioner seeks a direction to the effect that the issue of remission of the petitioner's father be considered by the State Government in the light of the Government order and the relevant rules applicable in this regard as he has undergone in custody for more than 20 years and therefore eligible for consideration of remission in view of the policy as applicable on



date.

We do not find this petition to be maintainable through the son of the detenu who can file his own petition as the remission is being sought by the detenu and is nowhere concerned with the petitioner. We therefore consign this petition to records without prejudice to the rights of the detenu to move this Court or to approach the State Government for such relief and in that event, the claim of the concerned detenu Ramanand Yadav shall be considered by the State Government in accordance with law. In the event, any such application is stated to be pending, the same shall be disposed of expeditiously, preferably within three months from the date of production of the certified copy of the present order.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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