

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1057 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

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Tullu Singh @ Ashutosh Singh @ Ashutosh Prasad Singh, Son of Ram Lagan Singh, Resident of Village - Fatehabad, P.S.- Paroo, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Chief Secretary, Govt. 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. 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. P. N. 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)

3 06-08-2019 Heard learned counsel for the petitioner and the learned counsel for the State.

The request for premature release of the petitioner was pending consideration and since no decision had been taken, the petitioner earlier preferred Cr. W. J. C. No.269 of 2017 that was disposed of on 30th March, 2017 with a direction to consider his case and pass an appropriate order.

A second writ petition was filed being Cr. W. J. C.



No.2907 of 2017 which was also entertained with an observation that the matter was required to be considered by the Board, but on account of certain recommendations having not been transmitted the same was pending consideration.

Ultimately, the Board has considered the request and has passed an order resolving not to extend any such benefit on account of the fact that the petitioner was involved in about 10 more cases where he has been chargesheeted and, therefore, his release at this stage would be detrimental for the society as well as for the police administration.

We, having gone through the said resolution, are satisfied that the claim of the petitioner has been considered objectively and there is no reason to doubt the correctness of the said conclusion drawn by the Remission Board.

We, therefore, are not inclined to entertain the petition. The same is, accordingly, consigned.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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