

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3101 of 2018

Arising Out of PS. Case No.-52 Year-2001 Thana- RAJPUR District- Buxar

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Ishwar Chandra Rai S/o Late Shiv Parshan Rai Resident of Village-
Uttampur,P.S. Rajpur,P.O. Hethua Rajpur,Distt.-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Govt. Of Bihar, Patna and Ors
2. The State Sentence Remission Board,through the Principal Secretary,Home Department, Govt. of Bihar,
3. The Joint Secretary-cum-Director Administration,Home Department,Govt. of Bihar,Patna
4. The Secretary Law Department, Govt. of Bihar,Patna
5. The Director General of Police, Govt. of Bihar,Patna
6. The Additional Director General of Police,Criminal Investigation Department,Govt. of Bihar,Patna
7. The Inspector General,Jail Reforms Service,Govt. of Bihar,Patna
8. The Assistant Inspector General,Jail and Reforms Service, Govt. of Bihar,Patna
9. The Jail Superintendent,Central Jail Buxar
10. The Senior Superintendent of Police, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Respondent/s : Mr.Lalit Kishore, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-01-2019

This habeas corpus petition has been filed on the ground that the applicant now is under unlawful custody having served out the sentence and the Remission Board has not exercised its authority after completion of the actual custody period.



A counter affidavit has been filed on behalf of the State and, in paragraph-8, it has been disclosed that the Remission Board, in its meeting dated 3rd of May, 2018, consider the case of the petitioner and refused to recommend the name of the petitioner for premature or otherwise release. The counter affidavit filed on behalf of the State of Bihar is taken on record.

In the background aforesaid, we see no reason to entertain this habeas corpus petition. Without prejudice to the rights of the petitioner to question the correctness of the decision of the Remission Board, this petition is consigned to records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/Nasimul

AFR/NAFR	NAFR
CAV DATE	N/A
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