

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.154 of 2020

Arising Out of PS. Case No.-388 Year-1996 Thana- SASARAM MUFFSIL District- Rohtas

1. VINAY KUMAR RAI Son of Satya Narayan Rai Resident of Village- Muradabad, P.S. - Sasaram (Muffasil), District - Rohtas.
2. Ajit Kumar Rai @ Ajit Narayan Rai Son of Satya Narayan Rai Resident of Village- Muradabad, P.S. - Sasaram (Muffasil), District - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH CHIEF SECRETARY, GOVT. OF BIHAR, PATNA Bihar
2. The Union of India through Home Secretary, New Delhi. Delhi.
3. The State Sentence Remission Board through the Principal Secretary, Deptt. Of Home, Govtt. of Bihar Bihar
4. The Joint Secretary Cum Director (Administration), Home Department(Prison), Bihar, Patna.
5. The Secretary, Law Department, Government of Bihar, Patna.
6. The Additional Director General of Police, Criminal investigation Department, Bihar, Patna.
7. The Inspector General, Jail and Reforms Services, Bihar, Patna.
8. The Assitant Inspector General, Jail and Reforms Services, Bihar, Patna.
9. The Jail Superintendent, Sasaram Jail, Sasaram, Rohtas. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kanhaiya Pandey, Adv.
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 24-02-2020 Heard learned counsel for the petitioners and the

learned counsel for the respondents.

Petitioners have prayed for the following relief(s):-

“For a direction upon respondent no.3 State



Remission Board to consider the case of the petitioners for remission and release the petitioners from jail who have completed the sentences for more than 20 years from jail manual i.e. more than 14 calendar year, in the light of the recommendation of the S.P. Rohtas (local police), District Prohibition Officer, Jail Superintendent and others.”

In our view, petitioners’ detention, at this point in time, cannot be said to be illegal, for they stand convicted in relation to crime registered as Sasaram (Muffasil town) P.S. Case No.388/1996.

The order of conviction and sentence is passed by a court having competent jurisdiction. In fact, petitioners’ prayer is for grant of remission/release, by taking recourse to appropriate remedies in accordance with law.

Liberty granted.

We are sure that as and when such request is received, the authorities shall consider the same within four weeks.

The petition is accordingly, disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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