

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.198 of 2020

Arising Out of PS. Case No.-592 Year-2001 Thana- HAJIPUR District- Vaishali

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Gajmati Devi W/o Sanichar Sahni Resident of Village - Nakhas, P.S.- Hajipur
(Town), Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sectt. Dept. Of Home, Govt. Of Bihar, Patna Bihar
2. The Inspector General of Prison and Correctional Services, Govt. of Bihar, Patna. Bihar
3. The District Magistrate, Vaishali at Hajipur. Bihar
4. The Superintendent of Police, Vaishali Bihar
5. The Superintendent, Hajipur Jail, Dist.- Vaishali Bihar
6. The Superintendent, Adarsh Kendriya Kara, Beur, Distt.- Patna. Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Wasi Ahmad Khan, Adv.
For the Respondent/s	:	Mr. P.N. Sharma, AC to AG

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

2 24-02-2020 The petition filed on 19.2.2020 is listed for hearing for
the first time today before the Court.

This application has been preferred praying inter alia for
the following relief/s:

(I) For issuance of a writ in the nature of
Certiorari for quashing of Memo No.3437 dated 02.05.2019
issued under order and signature of Inspector General
(Prions) and correctional reforms, Govt. of Bihar, Patna
(Respondent NO.2) whereby and whereunder he has refused



to release the petitioner's husband under short sentencing policy of the State as her husband has already completed the qualifying period of incarceration.

(ii) For issuance of criminal writ in the nature of writ of Habeas Corpus commanding upon the respondents to release the husband of the petitioner from Adarsha Kendriya Kara, Beur, Patna as he is in judicial custody for more than 19 years in connection with Hajipur Town P.S. Case No.592 of 2001 in which he has been convicted under Section 120B of I.P.C. vide Sessions Trial No.122/2002 to undergo life imprisonment."

Learned counsel for the State states that petitioner's case shall for remission shall be considered in the next meeting of the Board.

Learned counsel for the petitioner states that in view of the same, at this point in time, petitioner does not press the present petition.

We dispose of the present petition with the direction to the authorities to positively consider the petitioner's case as and when received in accordance with law, expeditiously and with reasonable dispatch.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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