

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.308 of 2021**

Arising Out of PS. Case No.-46 Year-2003 Thana- RUNISAIDPUR District- Sitamarhi

Pankaj Singh S/O Sri Umashankar Singh Resident Of Village And P.O-Tilak
Tajpur, P.S.-Runnisaidpur, District-Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The State Sentence Remission Board through Principal Secretary, Home Deptt., Govt. of Bihar, Patna.
3. The Joint Secretary-cum-Director (Administration), Home Deptt. (Prison), Bihar, Patna.
4. The Secretary, Law Deptt., Govt. of Bihar, Patna.
5. The Additional Director General of Police, Criminal Investigation Deptt., 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, Divisional Jail, Sitamarhi.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Respondent/s : Mr.Saroj Kumar Sharma, learned AC to AAG-3

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 31-08-2021 Heard learned counsel for the petitioner and Mr. Saroj
Kumar Sharma, learned AC to learned AAG-3.

The petitioner has moved this Court for following
reliefs:-

“(i) For issuance of an appropriate writ in the nature
of mandamus commanding and directing the
respondent authorities to consider the case of the
petitioner for grant of pre-mature release in
connection with Sessions Trial No. 227 of 2004

arising out of Runnisaipur P.S. Case No. 46 of 2003 inter alia on the ground that the petitioner had already completed more than 15 years of his physical incarceration and more than 22 years with remission.

(ii) For issuance of any other appropriate writ/writs, order/orders and direction/directions for which the writ petitioner would be entitled under the facts and circumstances of the case.”

A counter affidavit has been filed on behalf of the State. Statement has been made in paragraph ‘10’ in the following terms:-

“That the report of S.P., Sitamarhi has been received and the proposal of the petitioner for premature release will be put up before the Remission Board in its next meeting.”

In course of hearing, Mr. Saroj Kumar Sharma, learned AC to learned AAG-3 submits that he has instruction from the Superintendent of Police, Sitamarhi to say that the case of the petitioner is going to be considered in the next meeting and it is likely to take place very soon.

Considering the facts and circumstances of the case, in the nature of the stand taken on behalf of the State, this Court is disposing of this writ application with a direction to the

respondents to consider the case of the petitioner within a maximum period of two months from today and communicate a reasoned decision to the petitioner. The period of two months shall not be a bar in considering the case of the petitioner at any stage prior to the said period.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.