

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.706 of 2022

Arising Out of PS. Case No.-70 Year-1994 Thana- RAGHUNATHPUR District- Siwan

Dastgir Khan, S/o Late Amanat Khan, R/o village- Salempur, P.S.-
Raghunathpur, District- Siwan

... .. Petitioner

Versus

1. The State Of Bihar through The Principal Secretary (Home), Govt. of Bihar, Patna.
2. The Secretary, Secretary (Home), Govt. of Bihar, Patna.
3. The inspector General (Prison), Govt. of Bihar, Patna.
4. The State Sentence Remission Board, Govt. of Bihar, Patna.
5. The Superintendent, Mandal Kara, Araria.
6. The Superintendent, Mandal Kara, Siwan.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Udit Narayan Singh, Advocate
		Mr. Rajiv Kumar, Advocate
For the Respondent/s	:	Mr.Md. Nasrul Huda Khan, S.C.-1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-08-2022 The petitioner has moved this Court seeking a direction to the respondent authorities to consider his request for premature release.

Learned counsel for the petitioner submits that the petitioner has spent more than 16 years of actual custody and more than 20 years with remission, therefore, he has become entitled for consideration.

Learned counsel points out from Annexure '2' to the writ application that the Jail Superintendent of Divisional Jail, Araria has vide letter no. 3354 dated 8th December, 2021



forwarded the request of the petitioner with the report of the Probation Officer and the judgment of learned trial court to the Inspector General (Prison and Reforms Services), Bihar but till date no decision has been taken thereon.

Mr. N.H.Khan, learned S.C.-1 represents the State.

In the nature of the grievance raised by the petitioner, this Court is disposing of the writ application with a direction to the Inspector General (Prison and Reforms Services), Bihar to look into the grievance of the petitioner and take a decision on the request for premature release, in accordance with the policy decision of the government and the law on the subject.

Let an appropriate reasoned decision be communicated to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

