

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.989 of 2023

In

Criminal Writ Jurisdiction Case No.190 of 2022

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Sunny @ Sunni @ Sunny Deol @ Sunny Dewal Son of Gorakh Singh @
Gorakh Nath Singh Resident of Adarsh Nagar, Road No. 2, P.S.- Phulwari
Sharif, District- Patna

... .. Petitioner

Versus

1. The State of Bihar through Chaitanya Prasad Son of not known, Home Secretary, Government of Bihar, Patna.
2. Dinesh Kumar Rai, Son of not known The Inspector General (Prison), Government of Bihar, Patna.
3. Chandrashekhar Singh, Son of not known The District Magistrate, Patna.
4. Rajeev Mishra, Son of not known The Senior Superintendent of Police, Patna.
5. Jitendra Kumar, Son of not known The Superintendent, Adarsh Central Jail, Beur, Patna.
6. The Bihar State Sentence Remission Review Board, through Chaitanya Prasad, Son of not known, Home Secretary, Government of Bihar, Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Senior Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Prabhu Narayan Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-09-2023 Pursuant to the order dated 01.09.2023 passed by this Court, a show cause has been filed today on behalf of the opposite party no. 6. It has been sworn by the Additional Chief Secretary, Home Department, Government of Bihar. It is stated therein that the proposal for premature release of the petitioner was considered in the meeting of the Remission Board on 12.09.2023 and during the consideration of the proposal of the petitioner, it was found that the report of the Probation Officer regarding the premature release of the petitioner was not proper and so, the Remission



Board recommended to obtain fresh report from the Probation Officer fixing the date as 13.09.2023 for meeting of the Remission Board. The Probation Officer sent his report vide letter no. 655 dated 13.09.2023 to the Superintendent, Central Jail, Beur. The same was considered in the meeting of the Remission Board on 13.09.2023 and the Board after due consideration recommended for premature release of the petitioner.

2. It is stated that as per the procedure, the recommendation received from the Remission Board is being sent to the competent authority i.e. State Government, Law Department. A copy of the minute dated 13.09.2023 has been placed before this Court.

3. Having regard to the aforesaid stand of the opposite party no. 6, the present contempt application is being disposed of.

4. The Law Secretary, who is himself a member of the Remission Board, shall ensure that the decision of the Board be given its logical effect in terms of the release of the petitioner at the earliest.

(Rajeev Ranjan Prasad, J)

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