

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6698 of 2023

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Anupam Kumar Suman, S/o Shri Hemant Kumar Sinha, resident of 304, Aastha Palace, Road No. 4, East Patel Nagar, Keshari Nagar, Patna, Bihar - 800024.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Additional Chief Secretary, Home Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranjal Singh, Advocate
For the Respondent/s : Mr. P.K. Shahi, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 12-05-2023 The Public Interest Litigation (PIL) has been filed with respect to the removal of a particular clause from the Bihar Prison Manual which mandated that the persons who were convicted of grievous offences against public servants will not be considered for remission for a period of 20 years.

The present writ petition has been filed specifically alleging that the removal was only on account of one particular convict, who has been released.

However, we are told by the learned government advocate that the Hon'ble Supreme Court is seized of the issue and the very same subject matter is pending before the Hon'ble Supreme Court. An order of the Hon'ble Supreme Court dated 08.05.2023, wherein the widow of the deceased officer; whose



death had resulted in the conviction of the person now released, was allowed to intervene, is produced before us.

In the circumstance, we find that there is no need to keep the above writ petition pending before this court.

The learned counsel for the petitioner then would submit that before the Hon'ble Supreme Court, the widow is concerned only about the release of the perpetrator of the crime against her husband, while herein the petitioner is before this Court in larger public interest.

We cannot but observe that the order dated 08.05.2023 of the Hon'ble Supreme Court is in an intervening application, presumably in a Public Interest Litigation filed by yet another person, espousing a public issue.

We reject the writ application, however, leaving liberty to the petitioner to approach this Court, if so required in the future.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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