

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7067 of 2023

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Amitabh Kumar Das, Son of Gouri Shankar Das, Resident of Surya Bhawan,
Shahganj Benta, Laheriasarai, Shahpur, D.M.C. Darbhanga, Bihar- 846003.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. Additional Chief Secretary, Home Department, Bihar, Patna.

... .. Respondent/s

with

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Civil Writ Jurisdiction Case No. 7094 of 2023

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Amar Jyoti, Son of Vinod Kumar, R/o Chaube Ki Chhawani, Piro, Jagdeopur,
Bhojpur, Bihar- 802202

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police Bihar, Patna.
3. Additional Chief Secretary, Home Department Bihar, Patna.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 7067 of 2023)

For the Petitioner/s : Ms. Alka Verma, Advocate

For the Respondent/s : Mr. P.K. Shahi, AG

(In Civil Writ Jurisdiction Case No. 7094 of 2023)

For the Petitioner/s : Ms. Alka Verma, Advocate

For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-05-2023 These Public Interest Litigations (PIL) have 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 petitions have 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 petitions pending before this Court. We are also not happy with two Public Interest Litigations having been filed on the very same subject matter; by the very same advocate.

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

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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