

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.905 of 2022

Arising Out of PS. Case No.-24 Year-1986 Thana- ASHTHAWAN District- Nalanda

BAHADUR MAHTO @ INDRAJIT @ INDRAJIT SINGH S/o Late Ram
Pratap Singh Resident of Village- Govindpur, P.S.- Sarmera, District-
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Prison),
Department, Govt. of Bihar, Patna Bihar
2. Principal Secretary, Home (Prison) Department, Govt. of Bihar, Patna. Bihar
3. Director General of Police, Bihar, Patna. Bihar
4. Inspector General of Police, Govt. of Bihar, Patna. Bihar
5. Superintendant of Police, Nalanda at Bihar Sharif. Bihar
6. District Magistrate, Nalanda at Bihar Sharif Bihar
7. District Magistrate, Bhagalpur Bihar
8. Superintendant, Central Jail, Bhagalpur. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar
For the Respondent/s : Mr. Pawan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 27-07-2023 1. The present writ application has been filed by the
petitioner for a direction to the respondent no. 8 to place
his case for consideration before the Bihar State Sentence
Remission Board for premature release inasmuch as
according to the petitioner, he has completed more than
20 years of custody with remission.
2. Learned Counsel for the petitioner submits that the State
Government has come out with a remission policy, under



Section 432 read with Section 433-A of the Code of Criminal Procedure, 1973 in the year 2002 and according to learned Counsel for the petitioner, the petitioner is entitled to be considered as per the policy of remission.

3. Learned Counsel for the State submits that due to the adverse report of the Superintendent of Police, Nalanda, the Bihar State Sentence Remission Board could not take a final decision with regard to the premature release of the petitioner, however, a fresh report, along with antecedent of the petitioner, was called for, which has been received on 30.05.2023 and, accordingly, the prayer of the petitioner for premature release shall be put before the Bihar State Sentence Remission Board for consideration by the respondent no. 8.
4. After having heard learned Counsel for the parties concerned and taking into consideration the nature of prayer made in the writ application, this writ application is disposed with direction to the respondent no. 8 to place the case of the petitioner for consideration before the Bihar State Sentence Remission Board within a period of thirty days from the date of receipt/production of a copy of this order and further direction to the Bihar State



Sentence Remission Board to consider and dispose the claim of the petitioner for remission within a period of three months from the date of receipt of the request for remission.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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