

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.964 of 2022

Arising Out of PS. Case No.-341 Year-2006 Thana- BANKA District- Banka

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GOKUL YADAV SON OF MAHENDRA YADAV R/O VILLAGE-
CHAKADIH, P.S.- BANKA, DISTT.- BANKA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, GOVERNMENT OF BIHAR OLD
SECRETARIAT, PATNA, BIHAR
2. THE ADDITIONAL DIRECTOR GENERAL OF POLICE CUM SPECIAL
SECRETARY HOME, GOVT. OF BIHAR, PATNA
3. INSPECTOR GENERAL OF PRISON, BIHAR, PATNA
4. LAW SECRETARY, GOVT. OF BIHAR, PATNA
5. D.M. BANKA
6. S.P. BANKA
7. JAIL SUPERINTENDENT, BANKA

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.

Mr.Sanjay Kumar Jha

For the Respondent/s : Mr.Pawan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2023 1. The petitioner is an accused in Banka P.S. Case
No. 341 of 2006 registered under Sections 302/34 of the
I.P.C. and Section 3/4 of the Explosive Substances Act. He
has been convicted by the learned A.D.J., F.T.C. II, Banka
in Sessions Trial No. 975 of 2007 under Sections 302/34 of
the I.P.C. and Section 3/4 of the Explosive Substance Act.
2. Mr. Y.C. Verma, learned senior counsel for the



petitioner submits that petitioner is in jail since 14.11.2006 and has completed sixteen years in custody without remission. The petitioner has submitted an application through the jail authorities for consideration of his case for remission before the I.G. [Prison & Reforms] on 24th February, 2022. Since then one year has already been passed but the proposal for consideration of the case of the petitioner has not been forwarded before the remission board.

3. Learned counsel for the State submits that since the petitioner has already completed sixteen years of custody without remission, his case would definitely be forwarded to the remission board within a reasonable period of time.

4. Having regard to the submissions advanced by both the parties and taking into consideration the fact that petitioner is a convict and is in custody for more than sixteen years without remission as such, I direct the jail authorities including the respondent no. 3 / Inspector General of Prison, Bihar, Patna to forward the proposal of the petitioner for remission before the remission board as



early as possible preferably within a period of three months.

5. With the aforesaid observation and direction,
this application stands disposed of.

(Anil Kumar Sinha, J)

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