

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1223 of 2022

Arising Out of PS. Case No.-9 Year-1991 Thana- SHAHKUND District- Bhagalpur

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SHEIKH KALIM @ GEDHAWA @ MD. KALIMUDDIN SON OF LATE
SHEIKH SARAFAT R/O VILLAGE- KHAIRA, P.S.- SHAHKUND IN THE
DISTRICT OF BHAGALPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH ITS CHIEF SECRETARY GOVT. OF BIHAR PATNA CUM COMMISSIONER DEPARTMENT OF HOME, GOVT. OF BIHAR PATNA
2. THE SECRETARY DEPARTMENT OF LAW, GOVT. OF BIHAR, PATNA BIHAR
3. THE DIRECTOR GENERAL OF POLICE, GOVT. OF BIHAR BIHAR
4. THE INSPECTOR GENERAL (JAIL AND REFORM SERVICES) GOVT. OF BIHAR PATNA BIHAR
5. THE BIHAR STATE SENTENCE REMISSION BOARD, PATNA THROUGH IT CHAIRMAN BIHAR
6. THE DISTRICT MAGISTRATE, BHAGALPUR BIHAR
7. THE SUPERINTENDENT OF POLICE, BHAGALPUR BIHAR

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr.Lalit Kishore, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 13-12-2023 In the instant petition, petitioner has prayed for the
following relief(s):-

“(i) To issue a writ in the nature of Habeas Corpus to release the petitioner from imprisonment who is serving his sentence more than 15 years against life imprisonment awarded in terms of judgment and sentence dated



04/02/2003 and 18/02/2003 passed by learned Additional District and Session Judge 1st, Bhagalpur in session trial No. 309/1993.

(II) Also for direction, be issued to the state sentence Remission Board to consider the recommendation of the petitioner for release, immediately.

(III) Any other relief/reliefs for which petitioner is entitled in the eye of law.”

2. The present petition was filed in the month of October, 2022, whereas the Remission Board rejected the petitioner's claim of remission on 09.09.2022, and it was communicated to the petitioner on 24.12.2022.

3. In the light of these facts and circumstances, the present petition does not survive for consideration. Accordingly, the present petition stands disposed of, reserving liberty to the petitioner to assail the order dated 09.09.2022 of the Remission Board if he is so advise.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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