

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2637 of 2022

In

Criminal Writ Jurisdiction Case No.861 of 2021

In- Re, Suo Motu Cognizance taken by the Honble Court for initiation of contempt proceeding vide, Honble Courts order dated 20.12.2022 passed in Cr. WJC No.- 861 of 2021.

... .. Petitioner/s

Versus

Mr. Mithilesh Mishra, the then IG, Prison and Reforms Services (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Xx

For the Opposite Party/s : Mr. P.K. Shahi (Ag)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 17-07-2023 The present *suo moto* contempt proceeding came to be registered under an order passed by a learned Single Judge of this Court dated 20.12.2022 in Cr.W.J.C. No. 861 of 2021(Md. Allauddin Ansari @ Allauddin Ansari and others vs. State of Bihar and others).

2. While hearing the case filed by the petitioners of that case, learned Single Judge noticed that the decision of the Remission Board in its meeting held on 27.08.2021 was in the teeth of an order of this Court passed in Cr.W.J.C. No. 1615 of 2019. Having noticed patent violation of this Court's order, learned Single Judge directed for registration of *suo moto* contempt proceeding against the IG, Prison and Reforms Services (Bihar).



3. A show cause reply has been filed on behalf of the IG, Prison and Reforms Services (Bihar). It has been stated in paragraph-7 of the show cause replied that the Remission Board in its meeting held on 20.04.2023, had recommended for premature release of the petitioners of Cr.W.J.C. No. 1615 of 2019.

4. Learned Assisting Counsel to the learned Advocate General has submitted that as a matter of fact, all the petitioners of Cr.W.J.C. No. 861 of 2021 have been prematurely released after granting them remission. He has submitted that the opposite party tenders unqualified apology for any inadvertent non-compliance of any order passed by this Court.

5. Considering the subsequent conduct of the opposite party and the fact that the petitioners of Cr.W.J.C. No. 861 of 2021 have been released, the apology tendered on behalf of opposite party no. 2 is accepted.

6. The *suo moto* contempt proceeding is hereby dropped.

(Chakradhari Sharan Singh, J)

(Nawneet Kumar Pandey, J)

Nishant/-

U			
---	--	--	--

