

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.445 of 2023

Arising Out of PS. Case No.-64 Year-1985 Thana- SAUR BAZAR District- Saharsa

SHIV NATH YADAV @ SHIV NATH PRASAD YADAV Son of Late Sh. Sokhi Yadav R/V- Forsaha, Ward no. 14, P.s- Saur Bazar, Dist- Saharsa Bihar. Presently at Central Jail, Purnia Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, State of Bihar, Patna Bihar Bihar
2. The State Remission Board, through the Principal Secretary, Home Department. Govt. of Bihar, Patna Bihar
3. The Joint Secretary-Cum- Director (Administration) Home Department (prison) Govt. of Bihar Patna Bihar
4. The Secretary Law Department, Govt. of Bihar, Patna (Bihar) Bihar
5. The Additional Director General Police, Criminal Investigation Department, Govt. of Bihar, Patna Bihar
6. The Inspector General Jail @ Reform Service, Govt. of Bihar, Patna (Bihar) Bihar
7. The Assistant Inspector General Jail and Reform Service, Govt. of Bihar, Patna Bihar Bihar
8. The Superintendent of Jail, Central Jail Purnea, Shivaji Nagar, Purnea Bihar 854301 Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Thakur Mr. Manjeet Kumar Jha
For the Respondent/s	:	Mr.Prabhat Kumar Verma, A.A.G.-3 Mr. Suman Kumar Jha, A.C. to A.A.G.-3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. After hearing the parties, it is directed that the petitioner will file a petition for consideration of his premature release before the I.G.(Prisons) and if such an application is filed, the same must be disposed of within two months of its



filing.

3. The application may be filed by the petitioner at the earliest.

4. While considering the application of the petitioner, the I.G.(Prisons), will consider Rule 481 of Bihar Prison Manual along with the relevant notifications.

5. If the petitioner is found entitled to premature release after his representation is considered by the I.G. (Prisons), he shall be released forthwith and if the I.G. (Prisons) finds that the application for premature is devoid of any merit, a reasoned order may be passed.

6. The application for premature release shall be filed by the petitioner through his son.

7. With the aforesaid observations and directions, this application is disposed of.

(Sandeep Kumar, J)

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