

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.657 of 2023**

Arising Out of PS. Case No.-2 Year-1997 Thana- C.B.I CASE District- Patna

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Dhruv Kumar Jaiswal @ Dhruv Jaiswal @ Dhruv Prasad @ Dhruv Prasad @  
Dhruv Sao @ Dhruv Jaiswal Son of Late Jagdish Prasad Jaiswal @ Late  
Jagdish Jaiswal Resident of village - Surwal, P.S.- Ziradei, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna. Bihar
2. The State Sentence Remission Board through the Principal Secretary, Home Department, Govt. of Bihar Patna, Bihar.
3. The Joint Secretary-cum-Director (Administration), Home Department (Prison), Bihar, Patna. Bihar
4. The Secretary, Law Department, Government of Bihar, Patna. Bihar
5. The Additional Director General of Police, Criminal Investigation Department, Bihar, Patna. Bihar
6. The Inspector General, Jail and Reforms Services, Bihar, Patna. Bihar
7. The Assistant Inspector General, Jail and Reforms Services, Bihar, Patna. Bihar
8. The Superintendent, Divisional Jail, Siwan. Bihar
9. The Superintendent, Divisional Jail, Gopalganj. Bihar

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ratnakar Pandey, Advocate  
For the Respondent/s : Mr.Prabhat Kumar Verma, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

5      02-05-2024                      Heard the parties.

2. The petitioner has moved the Court for the following reliefs:

*“(I) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent nos.8 and 9 to send the proposal along with relevant reports of the prescribed Authorities as required under the law to the State*



*Remission Board for grant of pre-mature release of the petitioner in connection with Sessions Trial No.213 of 2001 arising out of R.C. No.2(S)97/SCB-II/DLI dated 07.08.1997 arising out of Nagar P.S. Case No. 54 of 1997 in which the petitioner was convicted for life under Section 302 of the Indian Penal Code vide judgment dated 20.03.2012 and order on the point of sentence dated 23.03.2012 passed by the learned Additional District and Sessions Judge-XIV, Patna - cum- Special Judge, C.B.I.- I, Patna interalia on the ground that the petitioner has already completed 16 years of his physical incarceration as well as completed more than 20 years with remission.*

*(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent State Remission Board to consider the case of the petitioner for grant of pre-mature release and grant pre- mature release to the petitioners on the ground that the petitioner has already completed 16 years of his physical incarceration as well as completed more than 20 years with remission, therefore, the petitioner is entitled for his pre-mature release.”*

3. Learned counsel for the petitioner submits that the petitioner has completed 16 years of actual custody and 20 years with remission, therefore, his case is fit to be considered by the Remission Board for pre-mature release.

4. In the given circumstance, this Court directs the Inspector General, Jail and Reforms Services, Bihar, Patna to bring this order to the notice of all concerned authority and call upon them to submit their respective reports within a period of



one month from today. Respondent no. 6 shall convene and hold the meeting of the Remission Board (respondent no. 2) within a period of two months from today. A reasoned decision with regard to the pre-mature release of the petitioner be taken within the aforesaid period.

5. This application disposed of accordingly.

**(Sandeep Kumar, J)**

P. Kumar

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