

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1480 of 2023

Arising Out of PS. Case No.-155 Year-1998 Thana- TELHARA District- Nalanda

Udal Mahto @ Udal Prasad

... .. Petitioner/S

Versus

The State Of Bihar Through The Chief Secretary, Government Of Bihar,
Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar, Adv.
For the Respondent/s	:	Mr. Prabhat Kumar Verma, Adv. Mr. Suman Kumar Jha, AC to AAG - 3

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

5 13-08-2024 Learned counsel for the petitioner Mr. Niraj Kumar,

Adv. and learned counsel for the respondent Mr. Suman Kumar

Jha, Adv are present.

2. Heard both the counsels.

3. In the light of the Order dated 03.11.2023 passed by

this Court in this case, the Remission Board passed its order

dated 14.12.2023 (Annexure – 3) annexed with I.A. No. 01 of

2023. Perusal of the order shows that application of the

petitioner has been rejected only on two grounds. First, that

there is litigation pending between both the parties, therefore,

the S.P. (Nalanda) opposes the application submitted by the

petitioner. Second, the presiding officer also opposed the

application however, the counter affidavit submitted by the



respondent-State clearly shows that except this there is no case pending between both the parties at present or on any previous occasion.

3. Looking to the above, the counsel for the respondent-State submits that the matter may be remitted back to the Remission Board to reconsider the application of the petitioner in the light of the fact mentioned in the counter affidavit of State.

4. Accordingly, the State Remission Board is directed to reconsider the claim of the petitioner in light of the recent counter affidavit submitted by the respondent-State and take a decision as early as possible probably within eight weeks.

(Arvind Singh Chandel , J)

Siddharth Soni/-

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