

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.763 of 2023

Arising Out of PS. Case No.-27 Year-2006 Thana- DEHRI TOWN District- Rohtas

Pradeep Kumar Shrivastava @ Pradip Kumar Srivastava Son Of Late Shiv Shankar Lal Srivastava R/o Mohalla- Patel Chowk, Ward No.03, P.S.- Bhabhua, District- Bhabua (Kaimur), Bihar

... .. Petitioner

Versus

1. The State of Bihar Through The Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna
2. The Chief Secretary, Home, Govt. Of Bihar, Old Secretariat, Patna
3. That State Remission Board Through The Principal Secretary, Home, Bihar, Patna
4. The Additional Chief Secretary, Home, Govt. Of Bihar, Patna
5. The Law Secretary, Department Of Law, Govt. Of Bihar, Patna
6. The Inspector General Of Prison, Govt. Of Bihar, Patna
7. The Assistant Inspector General Of Prison And Reformatory Services, Govt. Of Bihar, Patna
8. The Superintendent, District- Jail, Aurangabad Bihar

... .. Respondents

with

Miscellaneous Jurisdiction Case No. 3309 of 2024
In
Criminal Writ Jurisdiction Case No.763 of 2023

In- Re, Suo Motu cognizance taken by the Hon'ble court for initiation of contempt proceeding vide Hon'ble Court's order dated 12.08.2024 passed in Cr.WJC No. 763 of 2023.

... .. Petitioner

Versus

The State Remission Board Bihar (Patna) through the then Chairman, Mr. Chaityanya Prasad.

... .. Opposite Party

Appearance :

(In Criminal Writ Jurisdiction Case No. 763 of 2023)

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Respondent/s : Mr. P.K. Shahi, AG

Mr. Md. Nadim Seraj, GP-5

(In Miscellaneous Jurisdiction Case No. 3309 of 2024)

For the Petitioner/s : Mr. X

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 21-09-2024 The learned Advocate General has informed this

Court that the judgment of this Court has been fully complied with. It is stated at the Bar that the petitioner has been granted premature release and in fact he has already been released from jail.

2. Learned counsel for the petitioner admits that the petitioner has been released.

3. In the aforesaid view of the matter, this writ application as well as the contempt proceeding registered *vide* MJC No. 3309 of 2024 are being disposed of.

4. Before this Court would part with this order it is worth mentioning that after a fruitful intervention of the learned Advocate General though the judgment of this Court has been complied with but the concerned authorities who are in the Remission Board are still required to instill confidence in this Court with regard to their judicious application of mind while considering cases of premature release in the light of the judgment(s) of this Court. This observation is being made finding that several instances have come before this Court that despite clear observations and directions of this Court when the matter has been remitted to the Board to take a fresh view of the matter, the Board has done nothing but to reiterate its previous views. This Court hopes and trusts that henceforth that situation will be

avoided.

5. Both the matters stand disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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