

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1938 of 2025

Arising Out of PS. Case No.-13 Year-2004 Thana- FATUA District- Patna

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Suman Kumar Singh Yadav @ Suman Kumar Singh @ Suman Yadav S/o-
Jamun Yadav Resident of Village - Kolhar, PS- Fatuha , District - Patna

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Respondent/s : G.P.18

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner as well as

learned counsel for the State-respondents.

02. The petitioner approached this Court seeking appropriate direction to the respondents to consider the case of the petitioner for premature release as the petitioner is a convict in Sessions Trial No. 842 of 2008 arising out of Fatuha P.S. Case No. 13 of 2004 whereby and whereunder the petitioner was sentenced to undergo imprisonment for life for the offences



punishable under Section 302/149 of the Indian Penal Code with a fine of Rs. 15000/- and in default, simple imprisonment for six months and further sentenced to under rigorous imprisonment for five years on the account of Section 27(1) of the Arms Act with a fine of Rs. 5000/- and in default thereof, simple imprisonment of three months vide judgment and order dated 28.05.2015/30.05.2015. Sentences were to run concurrently.

03. Learned counsel for the petitioner submits that the petitioner has earlier approached the State Sentence Remission Board for premature release. But his prayer for premature release was rejected on the ground that the petitioner has not completed 20 years of imprisonment with remission and has completed only 17 ½ years for physical incarceration with remission. Now the petitioner has completed 20 years of incarceration with remission and thus, learned counsel prays for direction to the respondent no. 6 for placing the matter with the State Sentence Remission Board as the petitioner has completed 20 years of imprisonment with remission.

04. Learned counsel appearing on behalf of the State submits that if proper application is moved before the authority concerned, the same will be considered in accordance with law.



05. Since, the petitioner approached this Court with limited prayer for placing the matter before the State Sentence Remission Board, the petitioner is directed to move appropriate application before the I.G., Prison, respondent no. 6, and the same will be placed before the State Sentence Remission Board within a month of receipt of such application and the State Sentence Remission Board will call for a report from the authorities concerned within two months and dispose of the petition of the petitioner one month thereafter.

06. Accordingly, the present petition stands disposed of.

(Arun Kumar Jha, J)

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