

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2086 of 2025

Vijay Bharti Son of Late Deonath Bharti @ Late Devnath Bharti Resident of
Village - Akhtiyarpur, P.S.- Garkha, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna. Bihar
2. The State Sentence Remission Board through its Chairman, Government of Bihar, Patna. Bihar
3. The Principal Secretary Ministry of Home, Government of Bihar, Patna. Bihar
4. The Secretary-cum-Legal Remembrancer, Department of Law, Government of Bihar. Bihar
5. The Director General of Police, Government of Bihar, Patna. Bihar
6. The Director Probation Services, Government of Bihar, Patna. Bihar
7. The Inspector General (Prison) and Jail Reforms, Government of Bihar, Patna. Bihar
8. The Jail Superintendent, Central Jail, Motihari. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suneil Kumar Thakur, Advocate
For the Respondent/s	:	Mr. AC to SC-8

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 26-09-2025

Heard learned counsel for the petitioner as well as
learned counsel for the State-respondents.

02. The petitioner has filed the present writ petition
seeking direction to the respondent authorities to place the case
of the petitioner for his premature release before the State
Sentence Remission Board (hereinafter referred to as 'the
Board') by extending the benefit of remission on the ground that



he has already completed the qualifying period of incarceration entitling him of such benefit.

03. The learned counsel for the petitioner submits that the petitioner has been convicted for the offence under Sections 302/149 and 447 of the Indian Penal Code after facing trial, vide Sessions Trial No. 110 of 1997, arising out of Garkha P.S. Case No. 146 of 1995, by the learned 4th Additional Sessions Judge, Saran at Chapra vide judgment of conviction dated 23.06.2012 and has been sentenced to undergo rigorous imprisonment for life with fine vide order of sentence dated 25.06.2012. Being aggrieved by the aforesaid judgment and order, the petitioner filed Cr. Appeal (DB) No. 658 of 2012 before this Court, which upheld and confirmed the judgment and order of the learned trial court vide judgment dated 26.09.2018. The learned counsel further submits that now the petitioner has completed for more than 14 years of his actual incarceration and more than 20 years with remission. The learned counsel further submits that the petitioner moved a petition, after completion of his actual incarceration of 14 years, before the Board through the Jail Superintendent, Motihari making a prayer for his premature release, but till date no action has been taken on the said petition of the petitioner.



04. Learned counsel appearing on behalf of the State-respondents submits that if any such petition has been preferred by the petitioner, the respondent authorities will look into it and place the matter before the Board for its consideration at the earliest.

05. Having regard to the submission made on behalf of the parties, the concerned respondent authorities are directed to place the petition of the petitioner seeking premature release before the Board within a month from today. Thereafter, the Board is directed to obtain required reports from the statutory authorities within a period of one month. Thereafter, appropriate decision on the petition of the petitioner be taken by the Board in accordance with law within a period of one month.

06. Accordingly, the present petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.09.2025
Transmission Date	NA

