

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.2367 of 2024**

Arising Out of PS. Case No.-120 Year-1994 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Arun Yadav Son of Late Sahdev Yadav Resident of Chaman Tol, Police  
Station- Khagaria Muffasil, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Additional Chief Secretary, Home Department, Government of Bihar,  
Patna Bihar
3. The Director General of Police, Bihar, Patna Bihar
4. The Inspector General of Police (Prison), Government of Bihar, Patna Bihar
5. The District Magistrate, Begusarai Bihar
6. The Superintendent of Police, Begusarai Bihar
7. The Jail Superintendent, Mandal Kara, Begusarai Bihar

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Diwakar Yadav  
For the Respondent/s : Mr.A.G

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

2      15-07-2025                      Heard the learned counsel for the petitioner and the  
  
learned counsel for the State.

2. This writ petition has been filed for the following  
  
reliefs:

*i) For issuance of an appropriate writ /  
order /direction to consider the pre-mature  
release of the petitioner from jail custody  
who has remained in actual jail custody  
for more than 17 (Seventeen) years who  
has been convicted for the offence Under  
Section 307 Indian Penal Code for seven  
years, Under Section 364 of Indian Penal  
Code RI for 10 years, Under Section*



*302/149 of Indian Penal Code for RI life and Under Section 201 of Indian Penal Code for RI 5 years and Under Section 27 of Arms Act RI 5 years by the then 2nd Additional Sessions Judge, Begusarai on 27.08.1998 in Session Trial No. 149 of 1995 arising out of Sahebpur Kamal Police Station Case No. 120 of 1994;*

*(ii) For issuance of an appropriate writ / order /direction to the respondents to place the entire fact of petitioners case along with the period of custody in jail and conduct of the petitioner in jail for releasing the petitioner from jail custody enjoying the power Under Section 432, 433 of the Cr.P.C. and the relevant provisions of the jail manual and Prison Act;*

*(iii) For issuance of an appropriate writ / order /direction for petitioner is entitle to release from jail custody after granting remission in pursuance of Rule 715 and 726 of jail manual and the provisions of Prison Act and keeping the petitioner under jail custody is null became illegal in pursuance of different decisions of Apex Court as well as the Hon'ble High Courts including this High Court, Patna;*

*(iv) For issuance of an appropriate writ / order /direction to the respondents directing to make payment of compensatory amount for the arbitrary action of the respondents and petitioner was left to remain in jail custody for such a long period as not granting remission in his favour.*

3. The pending application for remission fo the



petitioner must be disposed of by the Remission Board within next one month and the decision must be communicated to the petitioner thereafter.

4. With the aforesaid observation and direction, this application is disposed of.

5. Let a copy of this order be communicated to the I.G. Prisons, Bihar through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

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