

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2688 of 2025

Arising Out of PS. Case No.-64 Year-2010 Thana- GHOSI District- Jehanabad

Sonu Kumar Son of Dhirendra Sharma @ Dhirendra Kumar Resident of
Village - Garh Jalalpur, Police Station - Ghosi (Okri O.P.), District -
Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna. Bihar
2. The Principal Secretary, Department of Home, Government of Bihar, Patna. Bihar
3. The State Sentence Remission Board through its Chairman, Government of Bihar, Patna. Bihar
4. The Law Secretary - cum - Legal Remembrance, Department of Law, Government of Bihar, Patna. 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 Additional Director General of Police, Criminal Investigation Department, Government of Bihar, Patna, Bihar.
9. The Jail Superintendent, Central Jail, Gaya. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadav, GP-23

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 05-02-2026

Heard learned counsel for the parties.

2. The present petition has been filed by the
petitioner seeking following relief(s):-

*"That the present writ application is being
filed by the petitioner for issuance of
direction to the respondent authorities for
pre-mature release of the father of the*



petitioner namely Dhirendra Sharma @ Dhirendra Kumar, who is in judicial custody since 2010 in connection with Ghosi (Okri O.P.) P.S. Case No. 64 of 2010 and completed his sentence of 14 years."

3. Learned counsel for the petitioner submits that the father of the petitioner has already completed actual custody of more than 14 years, till date no steps have been taken by the authority concerned for premature release of the father of the petitioner on the ground that he has not completed custody of 20 years with remission but the same is not required after the order of Hon'ble Division Bench of this Court in the case of ***Raja Ram Singh Vs. State of Bihar & Ors., (2012) SCC OnLine Pat 1798***. The case of the petitioner is covered by the decision of the Hon'ble Division Bench in ***Raja Ram Singh*** (*supra*). Learned counsel further submits that by State Notification dated 10th December, 2002, Rule 529 of the Bihar Jail Manual has been substituted and condition of 20 years of imprisonment with remission has been done away with. Therefore, the only requirement for consideration of the premature release is 14 years of actual imprisonment. Learned counsel submits that the authorities may be directed to place the case of the father of the petitioner before the State Remission Board for premature



release along with the requisite reports.

4. Learned counsel appearing on behalf of the State-respondents submits that the authorities may be directed to place the case of the father of the petitioner before the State Remission Board for his release with all requisite reports as per the guidelines of Hon'ble Supreme Court in the case of *Laxman Naskar Vs. Union of India & Ors., AIR 2000 SC 986*.

5. In the light of submission of the parties, the State-respondents are directed to place the case of the father of the petitioner for his premature release before the State Remission Board within three months from the date of receipt/production of a copy of this order with all requisite reports and thereafter, the State Remission Board will decide the matter in the light of extent rules as well as judicial pronouncements within next three months thereafter.

6. With the aforesaid observation and direction, the present petition stands disposed of.

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	NA
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