

Party Name : SUBRATA RABIDAS ON BEHALF OF ACCD. JAGADISH RABIDAS (BHUYA) Vs
THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This is an application for grant of bail filed by the petitioner Sri Subrata Rabidas on behalf of the accused Sri Jagadish Rabidas mainly on the ground that since the accused has been referred for treatment to SSKM Hospital, Kolkata, he may be enlarged on bail so that he can effectively undergo his treatment.

From the record produced by the Superintendent of Jail, I have found that on 09-12-2014 the accused was referred to SSKM Hospital by the Standing Medical Board of AGMC at G.B.P. Hospital, Agartala. Thereafter, it appears that the doctor engaged by the Jail Authorities advised that the accused could get his Coronary Angiography done at ILS Hospital at Agartala where such facility is available. Not only this, a sum of Rs.11,500/- was sanctioned for this purpose. According to the Jail Superintendent who is present in person, the accused did not agree to go to ILS Hospital.

It is true that the accused was advised medical aid outside the State but if such medical aid is available within the State and the State is willing to bear the medical expenses for undergoing such treatment, I see no reason why the accused should necessarily have to go to Kolkata for such treatment.

Therefore, the bail application is rejected with the following directions:-

(i) That, the Superintendent of Jail who is present in person shall immediately contact the doctors at ILS Hospital and get another date for the Angiography as early as possible;

(ii) The accused is directed to accompany the Jail Authorities to undergo Angiography at ILS Hospital at Agartala;

(iii) In case, the doctors at ILS Hospital advise that the treatment cannot be given at Agartala, then the accused can again approach this Court for necessary directions;

Supply copy of this order to learned counsel for the parties.