

16.09.2020
Sl No. 26
Ct. No.11
KS

CRM 6628 of 2020
With
CRAN 1 of 2020

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chinsurah Police Station Case No. 91/2018 dated 12.4.2018 under Sections 20(b)(ii)(c) of the NDPS Act.

And

In Re: Tapan Singh @ Gabbar

... .. Petitioner

Mr. Ajay Das

..... for the petitioner

Mr. Sanjoy Bardhan,

Mr. Palash Chandra Majhi

... .. for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the Court. The petition is taken up through video-conference on the basis of such undertaking.

The petitioner is in custody being implicated under Section 20(b)(ii)(c) of the NDPS Act. Previously, the petitioner filed WP 951(W) of 2020 on 10th February, 2020 praying for releasing him temporarily on parole and the said writ petition was disposed of by the learned Single Judge of this court vide order dated 10th February, 2020 directing the respondent authority to decide the application made by the petitioner for releasing him on parole in accordance with law. The application was, accordingly, made by the petitioner but no decision was taken by the Jail Authority as yet. Under such circumstances, the petitioner has prayed for interim bail for medical treatment of his six years old daughter.

We have perused the case diary. The accused was arrested while possessing commercial quantity of narcotic substance.

Be that as it may, the State Authority has not taken any decision as yet on the order dated 10th February, 2020 passed in WP 951(W) of 2020. At this stage, we think it prudent to direct the State Authority to consider the prayer of the petitioner on the basis of the order passed in WP 951(W) of 2020 in accordance with law and communicate the same to the petitioner within a fortnight, if no such consideration is made in the meantime.

The petitioner is at liberty to communicate this order to the Jail Authority for necessary action.

Accordingly, CRM 6628 of 2020 and CRAN 1 of 2020 are disposed of.

(Bibek Chaudhuri, J.)

(Samapti Chatterjee, J.)