

05.05.2021
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**WPA 9853 of 2021
(Via Video Conference)**

In Re : Sushanta Ghoshpetitioner

Mr. Tapas Kr. Dey
Mr. A K Dutta

..... For the petitioner

Mr. Rana Mukherjee, Id APP

..... For the State

This writ petition has been filed for release of the petitioner on interim parole for a period of three months in view of spread of pandemic of Covid 19.

Learned counsel for the petitioner submits that the ground for seeking release is the death of the petitioner's mother on 6th March 2021 after which the petitioner made a representation to the Minister-in-Charge of the administration as well as other persons including the Superintendent of Dum Dum Central Correctional Home. The representation was not responded to by the concerned authority.

Mr. Mukherjee, learned Additional Public Prosecutor appearing for the State hands up a Prisoner's Petition dated 5th May 2021. The petition mentions that the petitioner is suffering from various ailments together with petitioner's mother passing away in 2021 by reason of which the petitioner seeks parole for looking after his family. He further submits that under section 62 (1) and

(2) of the West Bengal Correctional Services Act, an under-trial prisoner may be released on parole under section 62 (4) of the said Act for emergency purposes.

Upon hearing learned counsel, this court is of the view that the grounds stated in the writ petition as well as those in the prisoner's petition, there are emergent circumstances which warrant that the petitioner should be released on parole for two weeks commencing from 7th May 2021 on the condition that the petitioner will be provided with police guard/guards during the period of parole.

WPA 9853 of 2021 is disposed of with the above direction.

Photostat plain copy of this order duly countersigned by the Assistant Registrar (Court) be given to the learned counsel for the State on usual undertaking.

(Moushumi Bhattacharya, J.)