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16.03.2021.
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**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
Appellate Side**

CRM 258 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 18.02.2021 in connection with NDPS Case No.31 of 2020 arising out of Bhaktinagar Police Station Case No.433 of 2020 dated 31.05.2020 under Section 21(c) of NDPS Act.

And

In Re : Vivek Chhetri @ Bibek Chhetri

... petitioner.

Mr. Jaydeep Kanta Bhowmik

... for the petitioner.

Ms. Aditi Shankar Chakraborty,
Mr. Aniruddha Biwas

... for the State.

The petitioner prays for bail primarily on the ground of the petitioner's ailments, which are submitted to be of a serious nature by learned counsel for the petitioner.

It is further submitted by the petitioner that the relevant post of the Medical Officer is vacant at the present point of time, as such, making the treatment of the petitioner uncertain.

However, upon hearing learned counsel for both sides, it appears to us that it would suffice if the respondent-authorities are directed to take immediate steps for proper medical check-up of the petitioner and take expeditious steps as regards proper treatment of the petitioner.

It is made clear that in the event the post of Medical Officer is vacant, the respondents shall make alternative arrangements for appropriate medical treatment being given to the petitioner.

CRM 258 of 2021 is disposed of, in the light of the above observations.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)