

24th August,
2022
(AK)
04

W.P.A 5596 of 2021

Shyam Das
Vs.
The State of West Bengal and others

Mr. Jayanta Narayan Chatterjee
Ms. Jayashree Patra
Ms. Sreeparna Ghosh
...for the petitioner.

Mr. Debasish Ghosh
Mr. D. Gomes
...for the State.

Affidavit-of-service filed in court today be kept on record.

A report is filed on behalf of the Additional Director General & Inspector General of Correctional Services, West Bengal pursuant to the order dated May 10, 2022.

It is reflected in the report, in particular paragraph no.5 thereof, that according to the Superintendent of the Midnapore Central Correctional Home, where Ranjit Das has been in custody, there is no adverse report as a parolee against the “life convict” Ranjit Das. He has availed a total of 140 days parole on eleven occasions.

It is further stated by the Superintendent of Midnapore Central Correctional Home that Ranjit Das has passed the Madhyamik examination 2011 as external candidate from the Presidency Correctional Home. The said convict was also engaged in M.D Section and

tailoring section at the Presidency Correctional Home and successfully attended and performed various dance and dance drama programs while serving sentence, which were organized by Smt. Alokananda Roy.

The Superintendent has further opined that the said Ranjit Das has been found to be disciplined and polite and to have performed his labour “devotionally” and was engaged in cultural activities.

That apart, it is further reflected from the report that in the minutes of the 64th meeting of the Review Board, that is, S.S.R.B., the reason for refusing premature release was *“not an individual act - brutal murder - chances of future recurrence cannot be ruled out - local police raised strong objection - objection by police authorities”*.

Upon considering the grounds for refusal of premature release, it is evident that the antecedents of the convict have not been taken into consideration at all.

Since it is clear from the report filed today that the said convict has conducted himself in an exemplary manner and has not exhibited any recalcitrance whatsoever, there cannot be any reason to further detain him in custody even after incarceration of twenty-two years.

Hence, WPA 5596 of 2021 is disposed of by directing the respondent authorities to release Ranjit Das, the cousin of the writ petitioner Shyam Das, immediately by

acting on a server copy of this order without insisting upon prior production of a certified copy thereof.

This order be communicated by the office immediately to the Superintendent of the Midnapore Central Correctional Home for the purpose of implementing the same.

Leave is granted to the learned Advocate appearing for the State to file the original report, which is at present not with learned counsel, by tomorrow, that is, August 25, 2022. When the same is filed, it will be tagged with the record.

For the present, the photocopy of the said report filed in court today is kept on record.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)