

Item-
39.

24-09-2025

sg

Ct. 550

WPA 22920 of 2025

Bijoy @ Santosh Gupta
Versus
State of West Bengal & Ors.

Mrs. Sutapa Sanyal
Mr. Anindya Halder

...for the petitioner

Mr. Jayanta Samanta

...for the State

1. The State Legal Services Authority, West Bengal, has filed the present writ petition on behalf of the life convict namely, Bijoy @ Santosh Gupta, who was convicted in connection with Titagarh P.S. Case No. 254/04 dated 10-08-2004 under Sections 302/120B/34 IPC and under Section 25(1)(A)/27(1)(A)/35 of the Arms Act. He has undergone imprisonment more than 20 years for premature release.
2. The petitioner has prayed for pre-mature release of the life convict since the guidelines prescribed by the National Legal Services Authority as well as Hon'ble Apex Court are not being followed by the respondent authorities.
3. I have gone through the National Legal Services Authority's Standard Operating Procedure on the process of Premature Release, Parole and Furlough of Prisoners, 2002 and also Section 62 of the West Bengal Correctional Services Act, 1992.
4. In view of the direction of the Hon'ble Supreme Court, the State should not wait for convict's application for

premature release and should take appropriate steps periodically.

5. It prima facie appears that it is not followed in this matter.
6. Accordingly, the respondent authorities are directed to consider the prayer of the convict/petitioner, Bijoy @ Santosh Gupta, in accordance with the relevant guidelines and laws as mentioned above and to pass appropriate order in connection with the prayer of the convict Bijoy @ Santosh Gupta.
7. With this direction, the instant writ petition is disposed.
8. The life convict be informed of this order through the State Legal Services Authority, West Bengal accordingly.
9. It is true that his prayer for premature release was refused by the State Sentence Review Board on earlier occasion. However, considering his period for detention and also the fact that the correctional authority has submitted a fresh conduct report, the respondent authorities are directed to re-consider his prayer for premature release of the petitioner in accordance with the guidelines mentioned above and Section 61(2) of West Bengal Correctional Services Act, 1992.
10. The order dated 06.06.2022 passed by the State Sentence Review Board is hereby set aside.
11. With this direction, the present writ application being WPA 22920 of 2025 is disposed of.
12. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Apurba Sinha Ray, J.)