

24.09.2025
Item No.52
Ct. No.550
Saikat

WPA 23041 of 2025

SAIRA BANU BIBI

VS.

THE STATE OF WEST BENGAL & ORS.

Mr. Anirban Mitra, Adv.
Mr. Bikash Kr. Roy, Adv.

...For the Petitioner

Mr. Sudip Sarkar, Sr. Govt. Adv.
Mr. Aman Arif Ansari, Jr. Govt. Adv.

...For the State-Respondent

1. Affidavit-of-service filed in court today is taken on record.
2. The State Legal Services Authority has filed this writ petition on behalf of the life convict, namely, Saira Banu Bibi who was convicted in connection with G.R. Case No.132/2000 corresponding to SC Case No.43/2007 for the offence under sections 302/201/34 of IPC by the court of learned Additional District & Sessions Judge, FTC, 3rd Court, Rampurhat, Birbhum, for premature release.
3. It is trite to say that National Legal Services Authority has issued Standard Operating Procedure for premature release of the life convicts and the Hon'ble Supreme Court has also directed all the States in India to formulate the policy for premature release, remission of sentences in respect of the life convicts, and the same has been reported in **2025 SCC OnLine SC 349, In Re: Policy Strategy for Grant of Bail.**
4. It is alleged that the said guidelines and directions were not followed by the respondent authorities.

5. Needless to mention that the Hon'ble Supreme Court mandated that the State must consider the prayer for premature release and also consider eligibility of the life convicts without waiting for the convicts' applications. As the allegation that the said guidelines are not followed in accordance with the direction of the Hon'ble Supreme Court, I direct the respondent authorities to consider the prayer for premature release of the life convict, namely, Saira Banu Bibi in accordance with the relevant guidelines of National Legal Services Authority and also in accordance with section 61(2) of the West Bengal Correctional Services Act, 1992, within two months from date and to inform the said decision to the life convict immediately thereafter.
6. This writ petition be treated as prayer for pre-mature release on behalf of the life convict.
7. Let this order be intimated to the life convict through the State Legal Services Authority, West Bengal.
8. With the aforesaid direction, WPA 23041 of 2025 is disposed of.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.
10. All parties shall act on the server copy of this order.

(APURBA SINHA RAY, J.)