

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special ST Case No. 04(09)2016
Special Case No. 175/2016
CNR: WBSP01-019299-2016

Present: Sudipta Bhattacharjee, Judge(JO code: WB00794),
Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas.

Order No. 87
Dt. 08.08.2024

Record is put up today by way of put up petition along with bail peititon filed by the learned advocate appearing on behalf of accused Ispinder Molla from the LADCS, South 24 Parganas, Alipore.

Learned advocate for the accused Ispinder Molla submitted that in view of the solemn Order dated 26.07.2024 passed by the Hon'ble Court, Calcutta in **W.P.A.(P) 27 of 2021+ CAN 1 of 2023 in CRM (NDPS) 48 of 2023 with CRM (NDPS) 52 of 2023 with CRR 798 of 2023 with CRR 799 of 2023 with W.P.A. 26371 of 2017 CAN 3 of 2024 CAN 4 of 2024 with W.P.A. 4510 of 1997 with W.P.A. 5440 of 2020 CAN 1 of 2020 (Old CAN 3147 of 2020) with W.P.A. 7252 of 2018 with W.P.A. 8573 of 2018** relating to terminally ill prisoners, the Superintendents of different correctional home has sent a list of terminally ill prisoners and the accused above name is one of them. He also submitted that the health of the accused is deteriorating day by day and thus he prayed for granting bail to this accused by imposing any terms and conditions.

Perused the petition and the aforementioned Order of the Hon'ble Court. Heard the learned Special P.P-in-charge.

The Hon'ble Court in connection with the aforementioned case has been pleased to pass an Order as follows regarding terminally ill prisoners:

“13. Report filed by State lists 30 terminally ill prisoners as on 08.03.2024. Some of these prisoners are undertrial while others are convicts.

14. With regard to undertrials, we direct the District Legal Services Authority concerned to take out applications for bail on medical grounds on their behalf within seven days from date and upon such application being filed, the jurisdictional courts shall pass appropriate orders in view of the precarious medical condition of the undertrial prisoners concerned.”

In view of Order of the Hon'ble Court, Calcutta **The Superintendent, Baruipur Central Correctional Home** is directed to submit a report to the effect that whether this accused is in the said list of terminally ill prisoners or not and he is also directed to submit comprehensive medical report of accused Ispinder Molla as soon as possible, preferably within seven days.

Hearing of bail application is deferred till next date with a liberty to put up matter as and when report from the concerned correctional home is received by this Court.

To date i.e. 24.09.2024 for production of accused persons and evidence.

Sd/- Sudipta Bhattacharjee
Judge, Special Court &
2nd A.S.J., Alipore.