

(OUT TODAY)

ITEM NO.31

COURT NO.5

SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).8166/2010

(From the judgement and order dated 17/12/2008 in CRL.A. No.356/1985, of
The HIGH COURT OF CALCUTTA)

SHYAMAPADA MONDAL

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for bail and urging addl. grounds and office report)

Date: 10/12/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. R.K. Gupta, Adv.
Mr. S.K. Gupta, Adv.
Mr. M.K. Singh, Adv.
Mr. Shekhar Kumar, Adv.

For Respondent(s) Mr. Avijit Bhattacharjee, Adv.
Mr. Bikas Kargupta, Adv.
Ms. Debjani Das Purkayastha, Adv.

UPON hearing counsel the Court made the following
O R D E R

Though we rejected the petitioner's prayer for bail on 16.07.2012 observing that if the case was not disposed of within a year from that date, he may renew his prayer for bail, the present petition (Crl. M.P. No.76671 of 2012) has been filed (even before the expiry of the period of one year) enclosing a telegram from the Superintendent, Midnapore Central Correctional Home. The telegram that was addressed to the Officer In-charge of Sonamukhi Police Station, District Bankura, is intended to convey to the kin of the petitioner that following the advice of the Medical Officer of the Correctional Home, the petitioner was admitted to the hospital as a life saving measure.

Mr. R. K. Gupta, learned counsel for the petitioner stated that on receiving the information through the aforesaid telegram, the petitioner's brother met him at the hospital and found him suffering from some heart ailment.

Having regard to the petitioner's medical status, he is directed to be released on provisional bail for six months from the date of his release.

The trial court is directed to release the petitioner on provisional bail in case the petitioner furnishes bail bond of Rs.50,000/- with two sureties of the like amount each to its satisfaction.

The petitioner must surrender before the expiry of six months from the date of his release.

In the meanwhile, let the special leave petition be listed for final disposal on 04.04.2013.

(Sanjay Kumar)

Court Master |

(Sneh Bala Mehra)

(Copy of the order be given dasti)