

**MINUTES OF THE MEETING OF THE UNDER TRIAL REVIEW COMMITTEE (UTRC) HELD ON 19<sup>TH</sup> DAY OF FEBRUARY, 2021 (THURSDAY) AT 1:30 P.M. IN THE OFFICE CHAMBER OF HON'BLE DISTRICT & SESSIONS JUDGE, GOALPARA, ASSAM**

**PRESENT**

SHRI TRIDIB KUMAR BHATTACHARJEE, DISTRICT & SESSIONS JUDGE, GOALPARA- CHAIRMAN  
SHRI NILKAMAL DAS, SECRETARY, DLSA, GOALPARA- MEMBER  
SHRI RUPJYOTI KALITA, DEPUTY SUPERINTENDENT OF POLICE- MEMBER  
SHRI ARUP KUMAR PHUKAN, SUPERINTENDENT, DISTRICT JAIL, GOALPARA, SPECIAL INVITEE  
SHRI RAJAT DAS, ASSISTANT JAILOR, DISTRICT JAIL, GOALPARA, SPECIAL INVITEE

**AGENDA**

**Item No. 1:** Consideration of under trial prisoners covered under section 436 Cr.PC.

**Resolution:** No eligible UTPs are found.

**Item No. 2:** Consideration of under trial prisoners eligible under section 436A Cr.PC.

**Resolution:** No UTPs are found eligible for release under section 436A Cr.PC.

**Item No. 3:** Consideration of under trial prisoners released on bail by the court, but have not been able to furnish sureties.

**Resolution:** The concerned learned Magistrate may be requested to explore the possibility of release of the following UTP on PR bond as, in spite of his release on bail on 15-12-2020, he could not arrange bailor for his release:

Sl. No.	UTPs/Convicts considered by UTRC	Age (in years)	Case	Detained since	Court	Whether UTPs/Convicts recommended for bail/release
1.	Md. Abu Taleb	26	Baguan PS case no.65/20, u/s 366/376 IPC	16-9-2020	Munsiff No.1-cum-JMFC	Yes

**Item No. 4:** Consideration of under trial prisoners accused of compoundable offences.

**Resolution:** (i) The learned Magistrates may be requested to explore the possibility of compounding of the offence(s) of the following UTPs:

Sl. No.	UTPs/Convicts considered	Age (in years)	Case	Detained since	Court	Whether UTPs/Convicts
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	by UTRC					recommended for bail/release
1.	Rabindra Kumar	22	Matia PS Case No.44/2021 u/s 379/511 IPC	18-2-2021	JMFC	No
2.	Karun Kumar	26	Matia PS Case No.44/2021 u/s 379/511 IPC	18-2-2021	JMFC	No
3.	Akhilesh Yadav	25	Matia PS Case No.44/2021 u/s 379/511 IPC	18-2-2021	JMFC	No

(ii) The learned Magistrates may be requested to explore the possibility of release of the following UTPs on bail or PR bond:

Sl. No.	UTPs/Convicts considered by UTRC	Age (in years)	Case	Detained since	Court	Whether UTPs/Convicts recommended for bail/release
1.	Rituparna Rabha	23	Rangjuli PS Case No.2/2021 u/s 379 IPC	26-1-2021	CJM	Yes
2.	Yunus Ali	48	Baguan PS Case No.10/2021 u/s 379 IPC	27-1-2021	Munsiff No.1-cum-JMFC	Yes

**Item No. 5:** Consideration of UTPs who became eligible to be released on bail u/s 167 (2) (a) (i) & (ii) of the Code read with section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (where person accused of section 19 or section 24 or section 27A or for offences involving commercial quantity) and where investigation is not completed in 60/90/180 days.

**Resolution:** No eligible UTPs are found.

**Item No. 6:** Consideration of UTPs who are imprisoned for offences which carry a maximum punishment of 2 years.

**Resolution:** No eligible UTPs are found.

**Item No. 7:** Consideration of UTPs who are detained under chapter VIII of the Cr.PC. i.e. u/s 107, 108, 109 and 151 of Cr.PC.

**Resolution:** No eligible UTPs are found.

**Item No. 8:** Consideration of UTPs who are sick or infirm and require specialized medical treatment.

**Resolution:** The learned Magistrate may be requested to explore the possibility of release of the following UTP on bail in view of his requirement for specialized medical treatment for heart disease, as intimated by the Superintendent, District Jail, Goalpara on the basis of feedback of jail doctor.

Sl. No.	UTPs/Convicts considered by UTRC	Age (in years)	Case	Detained since	Court	Whether UTPs/Convicts recommended for bail/release
1.	Goutam Gupta	62	Dhupdhara PS Case No. 6/2021 u/s 387 IPC	30-1-2021	Addl. CJM	yes

**Item No. 9:** Consideration of women offenders (S. 437 of Cr.PC.).

**Resolution:** The following women UTPs are considered. However, in view of grave and serious nature of allegations against them, they could not be recommended at this stage:

Sl. No.	UTPs/Convicts considered by UTRC	Age (in years)	Case	Detained since	Court	Whether UTPs/Convicts recommended for bail/release
2.	Sabiya Khatun	35	Lakhipur PS Case No. 75/2021 u/s 363/302/201 IPC	8-2-2021	CJM	No
3.	Rajeswari Rabha	28	Dudhnai PS Case No.12/2021 u/s 114/376 IPC r/w 4 of POCSO Act, 2012	9-2-2021	Special Judge	No

**Item No. 10:** Consideration of UTPs who are first time male offenders between the ages 19 and 21 years and in custody for the offences punishable with less than 7 years of imprisonment and have suffered at least 1/4<sup>th</sup> of the maximum sentence possible.

**Resolution:** No eligible UTPs are found.

**Item No. 11:** Consideration of UTPs who are of unsound mind and must be dealt under Chapter XXV of the Code.

**Resolution:** No eligible UTPs are found.

**Item No. 12:** Consideration of UTPs who are eligible for release under section 437 (6) of the Code, wherein a case triable by a Magistrate, the trial of a person accused of any non-bailable offence has not been concluded within a period of sixty days from the first date fixed for taking evidence in the case.

**Resolution:** No eligible UTPs are found.

**Item No. 13:** Consideration of convicts who have undergone their sentence or are entitled to release because of remission granted to them.

**Resolution:** Vide our earlier resolution dated 11-2-2021 the Superintendent, District Jail, Goalpara was requested to take necessary steps to enable 4 (four) convicts to apply for remission etc., if not already applied, under intimation to DLSA, Goalpara. Vide his letter no.GLPJ.40/2021/361 Dated Goalpara 16-2-2021 the Superintendent, District Jail, Goalpara has intimated the Committee that steps for the release of life convicts Banamali Singha and Monoranjan Dey have already been taken. The remaining two convicts have not served the minimum required period of sentence for pre-mature release.

In view of non receipt of conduct reports in respect of convicts Banamali Singha and Monoranjan Dey from the office of the Deputy Commissioner, Bongaigaon and non receipt of conduct report for Monoranjan Dey from the office of Superintendent of Police, Bongaigaon, learned Secretary, DLSA, Goalpara is requested to write to the aforesaid two officers for issuing the respective conduct report under intimation to Superintendent, District Jail, Goalpara and Secretary, DLSA, Bongaigaon with a request to co-ordinate with the said two offices.

**T.K. Bhattacharjee**

**N.K. Das**

**R. Kalita**

**A.K. Phukan**

**R. Das**