

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA(H)/1/2026

Saw Timothy

Vs.

State and another

Mr. Manas Ajai Sonkar
Mr. Sumit Kumar Sakthi ... for the petitioner

Ms. A.S. Zinu ... for the State

April 28, 2026
[SR]
Item No.4

1. Learned counsel for the petitioner submits that despite having obtained bail in a criminal case, the petitioner was not being released by the State. Subsequently, on the pretext of a production order in a different case, the respondent-authorities kept on detaining the petitioner, upon which the petitioner produced the bail order obtained in the other proceeding as well.

2. However, it is candidly submitted that the petitioner was released yesterday after filing the present application.

3. Although the Habeas Corpus petition has become otherwise infructuous, we want to record a word of caution for the respondent-authorities to the effect that on every occasion when an accused obtains bail, he/she should be

immediately released and cannot be compelled to come to Court every time by filing Habeas Corpus petitions.

4. Accordingly, it is expected that the respondents shall sensitize their officers in that regard.

5. Be that as it may, in view of the present application having been rendered infructuous due to the release of the petitioner, WPA(H)/1/2026 is disposed of in the light of the above observations.

6. There will be no order as to costs.

7. Urgent Photostat certified copies of the order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Smita Das De, J.)