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# Prison, Bail, COVID-19 and the Right of Inmates: An Indian Perspective

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## ABSTRACT

*As the world still pursues to grapple with the COVID-19 pandemic, prerogative discourses across several nations have generated concern well about the health and wellbeing of the more marginalised communities who prefer to be at once more encumbered and far less recognisable in moments of crisis. For the entire world, Covid-19 was a major challenge. The Covid-19 pandemic impacted millions of people, both economically and physically. Each individual had been in danger of becoming infected worldwide. Prisoners, on the other hand, have been the most impacted, as they share a single communal area, which is the prison.*

*This research paper explores the entitlement of India's pandemic-era inmate population, along with the refraction of architecture, capabilities, and sensitivity of these factions. It will also explore the rights of prisoners during Covid-19, as well as a comparative analysis of India and other countries. The Article also assesses the effectiveness of decongestion strategies by examining the criteria established by the High-Powered Committees of States for discharged prisoners. This article will also explore the execution of the right to bail for inmates during COVID-19. Lastly, it accentuates the importance of correcting the flaws and makes references for revamping the criminal justice system to protect inmates' right to health and life.*

**Keywords:** Covid – 19, Bail, Health, Infrastructure. Criminal justice system.

## I. INTRODUCTION

For the entire world, Covid-19 was a huge challenge. The Covid-19 pandemic impacted millions of individuals, both monetarily and medically. Each person was at risk of becoming infected everywhere. Prisoners, on the other hand, were the most affected, as they share one common area, which is the prison. The available incarceration centers were not always effective. Poor nutrition, a lack of hygiene and sanitation facilities, the most deadly 'overcrowding,' insufficient medical facilities, and other problems all have an impact on the health of prisoners. As a result, it might be inferred that the prisoner's life was in grave danger,

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resulting in the worst type of human rights violation of human rights in this pandemic.

In a country like India, health expenditure accumulates to less than 2 percent of GDP<sup>3</sup>. Coronavirus has been an enormous trial not just on the public health care system but also on the criminal proceedings and judiciary system of conducting proceedings. The pandemic has made a significant impact on economic activities and human lives. The spread of the virus has caused significant hurdles and issues for India's overcrowded prisons that are already lacking in sanitation, cleanliness, and medical facilities.<sup>4</sup>

Since May 2020, a tally of 19,724 prisoners (i.e., at least four percent of prisoners and prison staff) have been tested positive, along with 22 deaths, according to the Commonwealth Human Rights Initiative's (CHRI) activities chaser on the State/UT wise prisons response to the covid-19 pandemic in India.

Since March 2020, the Hon'ble Supreme Court, High Courts, and district courts have been attempting to stop or at least slow down the transmission of the infection by reducing the physical hearing of the cases and only conducting a virtual hearing for the important, urgent matters. The courts will consider only the cases of urgent and essential matters. The Courts also have modified their working habits and began their operations by permitting electronic filing in all courts and conducting urgent matters virtually through video-conferencing.<sup>5</sup>

## **II. WHAT RIGHTS DO PRISONERS HAVE IN INDIA?**

The Indian Supreme Court recognized the potential of COVID-19 spreading<sup>6</sup> swiftly in imprisonment in March 2020. Before the pandemic, Indian courts ruled that Article 21 of the Constitution's right to life and dignity includes the right to healthcare<sup>7</sup>, which is deemed necessary for a decent life. A citizen's right to life and healthcare is unaffected by imprisonment, and the State's responsibility to ensure access to healthcare facilities extends to those who have been convicted as well as those who are awaiting trial.

This legal obligation has indeed been expressly provided by Rule 24 of the United Nations Minimum Standards for Treatment of Prisoners ('Nelson Mandela Rules')<sup>8</sup> that further asserts

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<sup>3</sup>Sadhika Tiwari, India Spent 1 per cent of GDP on Public Health for last 1 Years. Result is Vulnerability to Crises, IndiaSpend, June 26, 2020, <https://www.indiaspend.com/india-spent-1-of-gdp-on-public-health-for-15-years-result-is-vulnerability-to-crises/>

<sup>4</sup>SusmitaPakrasi, India's Covid-19 tally crosses 24 million-mark with 3,43,144 fresh cases, daily death toll stands at 4000, Hindustan Times, March 14, 2021, <https://www.hindustantimes.com/india-news/indias-covid-19-tally-crosses-24-million-mark-with-343-144-fresh-cases-daily-death-toll-stands-at-4000-101620959959348.html>

<sup>5</sup>Dhanajay Mahapatra, Virtual courts to hear urgent cases during lockdown, The Times of India, <https://timesofindia.indiatimes.com/india/virtual-courts-to-hear-urgentcases/articleshow/74988557.cms>

<sup>6</sup>Contagion Of Covid 19 Virus In Prisons

<sup>7</sup>Bandhua Mukti Morcha vs Union Of India & Others, 1984 AIR 802, 1984 SCR (2) 67

<sup>8</sup>General Assembly Resolution 70/175, Annex, adopted on December 17, 2015

that "the provision of health care for prisoners is a state responsibility" and that there was no discrimination just on prisoner's legal status. The UN Human Rights Committee has indeed ascertained that inability to prolong shelter against the propagation of serious illnesses in correctional facilities may amount to infringements of the right to life and liberty under Articles 6 and 9, including both of the International Covenant on Civil and Political Rights 1996.

### **III. HUMAN RIGHTS VIOLATIONS OF PRISONERS**

Prisoners are robbed of their basic right to liberty because they are detained, but they are not limited from exercising their other human rights. According to Amnesty International assessments, the government's steps are insufficient to prevent the virus from spreading, which is a violation of human rights in and of itself. In this pandemic circumstance, the convicts confronted the following obstacles.

- Lack of Medical Care

Several countries, as well as states in India, took the initiative to construct medical centers for daily prisoner examination, as well as provide technical equipment and other necessary drugs for the inmates' safety. This, however, was not followed in all states. A paucity of medical personnel hampered the daily examination of the convicts. In prisons, vaccinations have yet to be finished.

Social isolation, sanitization, hygiene, and cleanliness, as well as the prompt availability of medicines, isolation of outsiders, and particular care for positive patients, were not up to par. Women in jail were the ones who suffered the most because of the lack of cleanliness and hygiene. The ladies were not given any additional precautions for menstruation, pregnancy, or other reasons.

- Visits Suspended

As soon as the lockdown was imposed, all prison departments had physical meetings confined inside the institutions. Prisoners are unable to see their relatives, lawyers, or other inmates, which harms their mental health. The prison staff did not even propose acceptable alternatives. Visits were halted in their entirety.

- Family Visits

Due to the pandemic, physical family meetings were halted, and communication was impossible. As a result, convicts were concerned about their safety, protection, and, most

importantly, the wellbeing of their families. A lack of communication hampered the detainees' ability to deal with the issue.

Video conferencing, phone calls, and other solutions were offered, but they did not prove to be effective. In certain states, such as Karnataka, calling time was limited to a maximum of 5 to 10 minutes, and in others, such as Jammu and Kashmir, it was limited to once every 15 days. It went into effect in various states in December 2020. This created a communication chasm between the inmates.

#### IV. INTERIM BAIL & PRISONERS RIGHT TO HEALTH: A COMPARATIVE LOOK

A bail is a kind of security provided by an accused in the form of a bail bond in exchange for his discharge from the police custody during the pending investigation or trial for a criminal proceeding faced by the accused<sup>9</sup>. On various occasions, the Hon'ble Supreme Court of India has established the prominence of bail, accentuating that *"when an accused is held under the custody, their right to personal liberty compromises. As a result, with the interpretation of the requirements of the Code of Criminal Procedure 1973<sup>10</sup> regarding the arrests, it is the duty of the courts to protect the constitutionality of liberty granted, until the imprisonment is required."*<sup>11</sup>

According to Indian Prison Statistics, for 1350 prisons, they hold 4,78,600 prisoners, reaching an average occupancy rate of 118.5 percent across the whole country.<sup>12</sup> However, these statistics and average rates only portray half of the story. A detailed study reveals how some state prisons are much more crowded than other state prisons. For illustration, Delhi prisons have the highest occupancy rate reaching up to 174.9 percent, followed by Uttar Pradesh, having an occupancy rate of 167.9 percent, and lastly, Uttarakhand's occupancy rate of 159 percent.<sup>13</sup>

Considering the need for defense in the Covid-19 era, the 'Social Distancing Rule' was aggressively eroded and faced a serious implementation problem owing to India's extremely crowded prisons, where it was also hard to meet satisfactory sanitary requirements. In India's overcrowded prisons, the chances of being in contact with covid-19 rose significantly, resulting in thousands of infected prisoners.<sup>14</sup> Owing to this, the government has adopted measures in

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<sup>9</sup> R.V. Kelkar, Criminal Procedure, Edition 7<sup>th</sup> 2021, Eastern Book Company

<sup>10</sup> Act No. 2 of 1974

<sup>11</sup> Jeetendra v. State of Madhya Pradesh, 12 SCC 536 (2020), Dataram Singh v. State of Madhya Pradesh 3 SCC 22 (2018)

<sup>12</sup> National Crime Records Bureau (Ministry of Home Affairs) Prison Statistics India 2019

<sup>13</sup> Ibid

<sup>14</sup> Jai Dehadrai, In the time of Coronavirus, The Right to Bail is Part of an Undertrial's Right to life, *The Wire*, March 26, 2020, <https://thewire.in/law/in-the-time-of-coronavirus-the-right-to-bail-is-part-of-an-undertrials->

order to protect prisoners, as everyone has the right to health.

Article 21 of the Indian Constitution provides the right to everyone regarding *access to medical care, irrespective of whether who they are, i.e., Suspect, defendant, or a convicted criminal facing criminal proceedings.*<sup>15</sup>The Hon'ble Supreme Court has established on numerous instances that the government is bound by national as well as international laws, Especially The Universal Declaration – Article 6, 9, and 10 of the International Covenant on Civil and Political Rights (ICCPR),<sup>16</sup> along with International Covenant on Economic, Social and Cultural Rights (ICESCP),<sup>17</sup> and The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rule)<sup>18</sup> that guarantees that every prisoner has right to wellbeing without bigotry.<sup>19</sup> In addition to constitutional rights, the Prisoners Act of 1894<sup>20</sup> and the Model Prison Manual of 2016<sup>21</sup> both necessitate that steps are to be taken to deliver for the protection and reservation of prisoners in the occurrence of an epidemic disease outbreak happens, owing to the number of prisoners held surpasses the normal occupancy capacity.

As a result, in the era of the Covid-19 outbreak, an undertrial accused right to bail may be interpreted as part of their constitutional right of 'Right to life and Health' under Article 21 of the Indian Constitution. The Indian Judiciary, while in the time of Covid-19, squandered an opportunity towards altering and improving the bail jurisprudence, and further, the courts of our nation failed to acknowledge and implement the notion of "Bail is the Rule, Jail is the Exception"<sup>22</sup> in its factual form and spirit. Actions performed by the Indian states relating to safeguarding the right to health of prisoners are enumerated below.

## V. DECONGESTION OF PRISONS

Due to the overcrowding of the prisons, the danger of sickness is imminent, and it also harms prisons' sanitation and wellbeing. To curtail this current situation and spread of the sickness and coronavirus and to save the lives of prisoners, many countries throughout the world took a

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right-to-life

<sup>15</sup> Parmanand Katara v. Union of India, AIR 1989 SC 2039

<sup>16</sup> International Covenant on Civil and Political Rights (ICCPR), ratification and accession by general Assembly resolution 2200A (XXI) of December 16, 1966, in accordance with article 49, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

<sup>17</sup> International Covenant on Economic, Social and Cultural Rights (ICESCP), ratification and accession by general Assembly resolution 2200A (XXI) of December 16, 1966, in accordance with article 27, <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

<sup>18</sup> General Assembly Resolution 70/175, annex, adopted on December 17, 2015, [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf)

<sup>19</sup> Re: Inhuman Conditions in 1382 Prisons (2017) 10 SCC 658

<sup>20</sup> Act No. 9 of 1894

<sup>21</sup> January 21, 2016, <https://pib.gov.in/newsite/PrintRelease.aspx?relid=134687>

<sup>22</sup> Rakesh K. Singh, Bail is the Rule, Jail is the Exception, The Free Press Journal Since 1928, November 22, 2020 <https://www.freepressjournal.in/analysis/bail-is-rule-jail-is-an-exception>

much-needed step of releasing the prisoners in thousands.

The Hon'ble Supreme Court of India, citing the significant threat to prisoners' life and health owing to the present overcrowding situation, ordered each state and union territory to form a "High Powered Committee by March 23, 2020 (HPC)<sup>23</sup>. Compiling by the order, each of the states organized a three-member HPC with the Chairperson as the State Legal Services Authority, The Home Secretary, and the Director-General of the state prisons as a member. The HPC was going to resolve whether the prisoners should indeed be released on interim bail depending on:

- i. Nature of the Offence
- ii. The number of years the prisoner has been sentenced to, or,
- iii. The severity of the crime

Which they have committed and accused of and were currently awaiting trial. As per the HPC's guidelines, the courts of our nation released a total of 68,264 prisoners on interim bail till December 12, 2020.

- Categorizations by HPCs for the release of prisoners on Interim Bail

The HPC's in twenty-six states projected that the prisoners who were awaiting sentencing for offenses with a maximum punishment of fewer than seven years should be released from jail, based on Supreme Court's recommendations. Rather than sticking to the criteria set-up recommended by the Hon'ble Supreme Court, The HPC's of the states like Delhi, Punjab, and Mizoram further prolonged their parameters to release much more prisoners.

- i. First Time Offenders<sup>24</sup>
- ii. Domicile of the State<sup>25</sup>
- iii. The person for trials in jails for three months or over<sup>26</sup>
- iv. Accused who have been allowed the bail but wasn't able to furnish the bail bond securities
- v. Old Age<sup>27</sup>
- vi. Pregnant mothers<sup>28</sup>

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<sup>23</sup> RE: Contagion of Covid 19 Virus in Prisons, 2020 SCC OnLine SC 320

<sup>24</sup>The Commonwealth Human Rights Initiative (CHRI), ISBN – 978-93-81241-96-7, <https://humanrightsinitiative.org/download/Responding%20to%20the%20Pandemic%20Prisons%20&%20Overcrowding%20Vol%201.pdf>

<sup>25</sup> Ibid

<sup>26</sup> Ibid

<sup>27</sup> Ibid

<sup>28</sup> Ibid

Are some of the classifications allowed by the HPC's and are eligible to be released on interim bail.

According to a further examination of the parameters for release, the seriousness of the offense was held to be the primary parameter adopted by the HPC's. Individuals who mainly were to be infected by Covid-19 owing to their old age or already existing diseases were excluded from this rerun<sup>29</sup>.

- i. Exacerbations
- ii. Chronic illness
- iii. Existing medical conditions such as Kidney Damage, Exacerbations, heart illness, cancers, Hepatitis B or C, or Tuberculosis

They are the ones that were wreaking havoc on HPC's in three states, i.e., Mizoram, Delhi, and Punjab. Only in Punjab, HPC explicitly stated pregnant women as a release category.<sup>30</sup>

The HPC also failed to address the problem that due to the decreased immune system, aged prisoners are the ones more susceptible to Covid-19 infection. The case of senior citizens was examined solitary by four states (Mizoram, Punjab, and West Bengal & Delhi) for release on interim bail. Punjab's criteria of Senior Citizens were prisoners at the age of 65 years of age, and above the age of 65 years, on the other hand, Delhi considered male and female under the trial convicts only over the age of 65 years and females under trials over the age limit of 60 years

The HPC's criteria adopted towards releasing the prisoners seemed to be a non-prisoner-centric approach. When it came to the risk of covid-19, the HPC's failed to differentiate between the several types of prisoners, i.e., age, gender, handicap, disease, juveniles, and comorbidities. These prisoners were not released on interim bail despite the high risk of contacting covid-19 because they did not match the criteria set by the HPC's. The HPC's criteria for releasing prisoners on interim bail should be reassessed, and the HPC should adopt a health-centric approach in order to protect the right to life and health of prisoners.

Further, in accumulation to the HPC's, our courts have also refused to consider the medical conditions of prisoners while deciding on bail application petitions. Ignoring the everyday risk of being exposed to the deadly virus already at a high owing to pre-existing medical conditions.

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<sup>29</sup> Raghavan, V. Prisons and the pandemic: the panopticon plays out. *J. Soc. Econ. Dev.* 23., 388-397 (2021), <https://link.springer.com/article/10.1007/s40847-020-00127-9#citeas>

<sup>30</sup> Minutes of Meeting of Punjab's HPC, held on May 2, 2020, <https://dgrpg.punjab.gov.in/wp-content/uploads/2020/05/Review-meeting-of-the-High-Powered-Committee-Held-on-2-5-2020-Under-the-Chairmanship-Letter-no-12-16-2020-2H7-796-800-dt.-02-05-2020.pdf>



P Varavara Rao, poet, and activist aging 81 years old, was charged with a violation under the 'Unlawful Activities (Prevention) Act of 1967'<sup>31</sup> and served more than two years in imprisonment. The Hon'ble Supreme Court and the Bombay High Court unfailingly dismissed his interim bail petition, disregarding P Varavara Rao's poor physical condition and elderly age.<sup>32</sup>

- Groupings that HPCs omitted for interim bail

Owing to the nature of the crime to which the prisoners were charged, under trial offenders are excluded from scrutiny by the HPC's. Many prisoners were declined the privilege of interim bail as they posed a serious threat to the society and nation's law and order. Prisoners under arrest or that were found guilty for violations of

- i. Narcotic Drugs and Psychotropic Substances Act, 1985<sup>33</sup>
- ii. Protection of Children from Sexual Offences Act, 2012<sup>34</sup>
- iii. Prevention of Corruption Act, 1988<sup>35</sup>
- iv. Prevention of Money Laundering Act, 2002<sup>36</sup>
- v. Prohibited Activities Prevention Act, 1967<sup>37</sup> and
- vi. Offenses against women

These prisoners who were charged under these acts or committed any offense in contravention of these acts were excluded from the HPC's criteria for Interim Bail.

The latest decision by the Hon'ble Supreme Court institutes that not every prisoner can be eligible or can plead interim bail owing to the Covid-19 situation.<sup>38</sup> The HPC of Maharashtra's classification of prisoners for interim bail was pronounced in this judgment, as it was arbitrary and volatile towards the fundamental rights of prisoners. While upholding the classification, The Hon'ble court renowned that interim bail owing to covid-19 is a human right in order to defend prisoner's health, relatively than a statutory right.

The Hon'ble Supreme Court, in this case, disregarded the prisoners' right to health, which was already have been deprived of their rights by the HPC's classifications. Furthermore, Interim

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<sup>31</sup> Act No. 37 of 1967

<sup>32</sup> Kay Dodhiya, 'No Bail, but doctors to examine Varavara Rao', The Hindustan Times, November 13, 2020 <https://www.hindustantimes.com/india-news/no-bail-but-doctors-to-examine-varavara-rao/story-khlXqHl38jrgUE3lpFhK.html>

<sup>33</sup> Act No. 61 of 1985

<sup>34</sup> Act No. 32 of 2012

<sup>35</sup> Act No. 49 of 1988

<sup>36</sup> Act No. 15 of 2003

<sup>37</sup> Act No. 37 of 1967

<sup>38</sup> National Alliance for People's Movements v. State of Maharashtra 9 SCC 698 (2020)

bail's privilege or right has been abridged from an apparatus to preserve and guarantee inmates' right to health to just a modest de-congestion tool. Concerning the rights of the prisoners of the omitted classification, the court stated that under trial, prisoners who have been not identified under any category or are excluded from the privilege of interim bail have the right to apply to the competent court regarding their regular bail or interim bail, which will further be decided based on case merits, and due process of law will be applicable.

Nevertheless, contrary to the Supreme Court's judgment, the HPC's classification of prisoners had a deep impression on the trial court's judgment on the interim bail petitions of prisoners. Courts have stated in many bail application judgments that, when dismissing a bail application, the applicant's case will not fall under the criteria established by the HPC's<sup>39</sup>.

## **VI. IMPACT ON THE VULNERABLE GROUP'S**

The majority of India's prisoners are youthful, impoverished, and illiterate. They are primarily from low-income areas. The timescale people spend in jail is governed by their capacity to pay instead of the crimes they have committed due to the obvious bail system. During the epidemic, this, coupled with a lack of legal aid, will get worse and worse.

Inmates above the age of 65 are also wedged. Activist Medha Patkar<sup>40</sup> lately petitioned the Supreme Court, appealing that primary release procedures have infrequently been secondhanded since the High-Powered Committees have persuaded to accentuate administrative convenience and social conditions despite COVID-19 defenselessness. For example, Maharashtra, one of the worst-affected states, has 167 convicts aged 70 to 90 years old.<sup>41</sup> This is challenging since many elderly convicts have been incarcerated for decades and are finding it very difficult to survive in isolation during the epidemic due to comorbidities, stress, cognitive loss, and dementia.

Likewise, juveniles in detention centers represent an endangered minority<sup>42</sup> at risk of being abused, undernourished, and abandoned by prison authorities and adult arrestees. The United Nations Children's Fund has also released a statement regarding the current epidemic, stating

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<sup>39</sup> State v. Vandana (Patiala House Court, Bail Application No. 1163/2020); State v. Om Parkash (Rohini Court, Bail Application No. 1160/2020); State v. Vikas (Rohini Court, Bail Application No. 1171/2020)

<sup>40</sup>Krishnadas Rajagopal, Medha seeks release of elderly prisoners, *The Hindu* <https://www.thehindu.com/news/national/supreme-court-intervention-amid-covid-19-has-not-helped-elderly-prisoners-medha-patkar/article34856954.ece>

<sup>41</sup> Sadaf Modak, Maharashtra: 167 prisoners in 70-90 age group still in jails even as Covid concerns rise, *The Indian Express*, <https://indianexpress.com/article/cities/mumbai/maharashtra-167-prisoners-in-70-90-age-group-still-in-jails-even-as-covid-concerns-rise-7330320/>

<sup>42</sup> UN General Assembly, United Nations Rules for the Protection of Juveniles Deprived of Their Liberty : resolution / adopted by the General Assembly, 2 April 1991, A/RES/45/113, <https://www.refworld.org/docid/3b00f18628.html>

that children and juveniles in detention are at a high risk of getting COVID-19 owing to underlying physical and mental disorders. Due to low resistance and inadequate childhood healthcare, children who've been in prison since birth due to their parent's incarceration are at a higher risk of infectious diseases.<sup>43</sup>

## **VII. THE HURDLE IN THE ACCESSIBILITY DURING THE PANDEMIC**

Despite the court's efforts, several bail application proceedings were adjourned throughout the lockdown period owing to the lack of paper verification<sup>44</sup>, failed video calls or video conferences throughout E-hearings,<sup>45</sup> non-appearance of the advocates for the accused, and also due to not proper case filling. While very urgent matters were heard through video-conferencing, there were no recognized criteria as to what comes under the preview of "urgent matter," and there was no clear picture shown or proper ways as to how Hon'ble Supreme Court, especially district courts, operated. In these ambiguous and dangerous times, it is sad to witness that the courts have not provided proper attention to the bail proceedings as they must have given.<sup>46</sup>

## **VIII. CONCLUSION**

The remarkable austere time caused owing to the coronavirus has re-ignited the urgent need for legislative change. The pandemic has not only been highlighted to resolve the problem of overcrowding of prisons, but also it has taught many valuable lessons concerning the need to increase prisoners' right to bail and right to health, which may be implemented in the long run, even after the crisis has passed us. Prison improvements such as frequent decongestion and appropriate medical facilities owing to the needs of the prisoner's health and occupancy rate. It is suggested that the HPC's that were formed during the covid-19 time of the decongestion of the prisons shall not dissolve. Instead they may contemplate suggesting regular or interim bail for various prisoners. As per the fairer criteria enumerated in the light of the fundamental rights of every prisoner's right to health. Regardless of the State to which the HPC's belong, the uniformity in the rules of all HPC's should be established, and these criteria should be made or practiced owing to the basics of constitutional ideals.

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<sup>43</sup> Statement by UNICEF Executive Director Henrietta Fore, Children in detention are at heightened risk of contracting COVID-19 and should be released, 13 April 2020, <https://www.unicef.org/bangladesh/en/press-releases/children-detention-are-heightened-risk-contracting-covid-19-and-should-be-released>

<sup>44</sup> State v Suresh (TizHazari Court, Bail Application No. 422/2020, June 10, 2020)

<sup>45</sup> State v. Salman (TizHazari Court, Bail Application No. 392.2020, May 29, 2020)

<sup>46</sup> Sopan Ramesh Lanjekar v. State of Maharashtra 2020 SCC OnLine BOM 468; Sharukh v. State of Rajasthan (Rajasthan High Court, Bail Application No. 17767/2019, March 19,2020)