

23.9.2020
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IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 6594 of 2020

Sanjoy Biswas

-vs-

The State of West Bengal

with

CRAN/1/2020

In Re: An application for bail under **Section 439 CrPC** in connection with Chakdaha P.S. Case No.237 of 2018 dated 18.7.2018 under sections 376(2)(i)/120 of the Indian Penal Code and under Section 4 of POSCO Act.

Mr. S. Sarkar

...for the petitioner.

Mr. Neguive Ahmed,

Ms. Amita Gaur

... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

The learned Advocate appearing for the petitioner submits that the petitioner is in custody for about two years and in view of the fact that the victim has already been examined, the petitioner may be released on bail. The learned Advocate further adds that the present case was initiated mala fide and with a view to coerce the petitioner.

Mr. Ahmed, learned Advocate appearing for the State opposes the prayer for bail and draws the attention of the court to the statement under Section 164 of the Code of Criminal Procedure.

We have perused the statement of the victim under Section 164 of the Cr.P.C., the medical report as well as the earlier order passed by this court in CRM 1851 of 2019. On consideration of the same, we are of the opinion that it is not a fit case to release the petitioner on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.
CRM No.6594 of 2020 and CRAN/1/2020 are disposed of.

[Tirthankar Ghosh J]

[Samapti Chatterjee, J]