

27-03-2023  
Item no.03  
SUBHA  
Bail rejected.

IN THE HIGH COURT AT CALCUTTA  
Criminal Miscellaneous Jurisdiction  
Appellate Side

CRM (SB) 61 of 2023

Asish Biswas

-vs-

The State of West Bengal & Anr.

**In Re:** An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 14<sup>th</sup> March, 2023.

Mr. Sabyasachi Mukherjee

Mr. Mukhesh Khanna

Mr. D. Chaudhury

Mr. SyedNeaz Ahmed

...for the petitioner.

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... for the State.

Learned advocate for the petitioner submits an envelope enclosing the affidavit of service. Let the same be kept with the record.

Learned advocate further submits that the petitioner is in custody for about 103 days in course of investigation. According to the advocate, chargesheet has also been submitted and as such further detention of the present petitioner is unwarranted.

Learned advocate for the petitioner prays for bail on the ground that he as a father scolded the daughter, consequent to which the present case has been initiated.

Mr. Roy Chowdhury, learned advocate appearing for the State opposes the prayer for bail and produces the case diary. Learned advocate draws the attention of this court to the statement of the victim under Section 164 of the Code of Criminal Procedure.

Having considered the materials appearing against the present petitioner and the fact that case is fixed for the consideration of

charges, I am of the opinion that this is not a fit case for granting bail in favour of the petitioner at this stage.

Accordingly, the present application for bail being CRM(SB) No. 61 of 2023 is rejected.

Petitioner would be liberty to approach this court immediately after the evidence of the victim is over.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]