

17.02.2025
Item no.28.
Court No.29.
S. De
(Rejected)

CRM (DB) No. 226 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Mohan Lal Biswas.

.....Petitioner.

Ms. Minoti Gomes,
Ms. Shanta Sarkar, for the Petitioner.

Mr. Md. Adil Badr,
Mr. A.S. Chatterjee, for the State.

Mr. Soumya Basu Roychowdhuri,
Ms. Pallavi Priyadershee, ...for the de facto complainant.

Dictated by Apruba Sinha Ray, J.

1. Learned advocate for the petitioner has submitted that the petitioner is in custody for 177 days. There is no chance of an early conclusion of the trial. He has been falsely implicated as there was some dispute over financial transaction between the petitioner and the de facto complainant. Considering the period of detention and also the medical report, he may be enlarged on bail on any condition.

2. Learned advocates for the State as well as the de facto complainant have raised strong objection. According to them, the victim was a handicapped lady. She is unable to speak properly. There is no point of delay since March 25, 2025, is the date fixed for examination of the victim lady. There are criminal antecedents of the present petitioner since he is involved in

other cases of similar nature. He has also disputed the allegation that there is a dispute over alleged financial transaction between the petitioner and the de facto complainant. If the petitioner is enlarged on bail, the prosecution may suffer.

3. We have considered the materials-on-record and the case diary. Prima facie, it appears that there are certain incriminating materials against the present petitioner. In view of the above, we are not inclined to allow the prayer for bail of the petitioner, at this stage.

4. CRM (DB) 226 of 2025 is dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)