

02.07.2026

Item No.279

Ct.No.35

dc.

**Rejected**

**IN THE HIGH COURT AT CALCUTTA**  
**CRIMINAL MISCELLANEOUS JURISDICTION**

**C.R.M. (M) 1081 of 2026**

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Dhubulia Police Station Case No. 290 of 2019 dated 16.12.2019 under Sections 341/302/34 of the Indian Penal Code, 1860.

And

In Re : **Swadesh Biswas**

... Petitioner.

Mr. Shataroop Purkayastha,  
Ms. Rajorna Majumder

... For the Petitioner.

Mr. Ramashish Mukherjee,  
Mr. Neel Chakraborty

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 6 years 4 months and there is no possibility of the case being taken to its logical conclusion as presently there is no Presiding Officer in the Court.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail on the grounds that delay presently has been contributed by the accused person. The defence prayed for tendering witnesses after the examination under Section 313 of the Code of Criminal Procedure and thereafter no defence witness was present on the dates fixed. Further it has been brought to the notice of this Court that against the present petitioner, there are other cases including two murder cases being Dhubulia P.S. Case No. 09/2005 dated 22.01.2005 and Dhubulia P.S. Case No.

269/2011 dated 07.06.2011 and NDPS case being Kaliganj P.S. Case No. 27/2020 dated 25.01.2020 as also another case being Kotwali P.S. Case No. 67/2022 dated 18.02.2022.

Having considered the antecedents of the present petitioner, I am not inclined to release the present petitioner on bail in spite of the detention. As such, the prayer for bail of the petitioner is **rejected**.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 1081 of 2026, is, thus, dismissed.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**