

17.06.2019.
Item No.21
(Rejected)
ab

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 289 of 2019

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.04.2019 in connection with Alipurduar P.S. Case No. 21 of 2019 dated 17.01.2019 (G.R. Case No. 87 of 2019) for committing offence punishable under Sections 302/201/120B/379 of the Indian Penal Code;

And

In the matter of : Mohit Sharma. ... petitioner.

Mr. Som Shankar Dutta. ...For the petitioner.

Mr. Ujjwal Luksom,
Mr. Aniruddha Biswas. ...For the State.

Heard the learned Advocates appearing on behalf of the parties.

The petitioner has been apprehended in connection with G.R. Case No. 87 of 2019 arising out of Alipurduar P.S. Case No. 21 of 2019 dated 17.01.2019 under Sections 302/201/120B/379 of the Indian Penal Code.

It is submitted by the petitioner that he was not involved in the said offence and has been motivatedly implicated therein. It is further submitted that one of the co-accused has already been granted bail and, therefore, the petitioner being on the same footing should also be granted bail.

After perusing the case diary as well as the materials available therefrom, we do not find that the petitioner stands on the same footing than that of the other co-accused i.e. Sanjit Das, who has been already granted bail.

We, therefore, do not find that it is a fit case where the petitioner should be enlarged on bail.

The prayer for bail of the petitioner is rejected.

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

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)