

10.11.2020
Item No. 2
Ct. No. 8
SB

CRM 8991 of 2020

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Moyna P.S. Case No. 235 of 2019 dated 14.10.2019 under Sections 302/120B of the Indian Penal Code.

In the matter of : Khokon Khutia @ Fekon

Mr. Kallol Mondal
Mr. Amal Krishna Samanta
Mr. Krishan Ray
Ms. Amrita Chel
Mr. Arun Kumar Das ... for petitioner

Ms. Zareen N. Khan
M.F.A. Begg ... for State

Petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of Court. The petition is taken up through video conference on the basis of such undertaking.

Learned advocate appears on behalf of petitioner and submits, there has been changed circumstances since 28.08.2020, when his client's application for bail was rejected by a co-ordinate Bench. He draws attention to order dated 09.10.2020 passed by learned Sessions Judge, Purba Medinipur to submit, persons similarly accused have been enlarged on bail. Hence, his client should also be granted bail.

Ms. Khan, learned advocate appears for State and draws attention to said order dated 28.08.2020, where it has been clearly stated that materials on record disclosed prima facie involvement of petitioner as principal assailant and he does not stand on same footing as co-accused.

In view of above, the application for bail is rejected.

The application being C.R.M. 8991 of 2020 is disposed of.

(Arindam Sinha, J.)

(Md. Nizamuddin, J)