

02.12.2020

BP/BR
Sl. 4

CRM 9428 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Ranaghat Police Station Case No. 100 of 2020 dated 28.05.2020 under Section 302 of the Indian Penal Code.

In the matter of : Sukanta Roy.....petitioner

Mr. Sananda Bhattacharya
..for the petitioner.

Mr. Madhusudan Sur
Mr. Dipankar Paramanick
..for the State.

The petitioner undertakes to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

It is submitted by the learned advocate for the petitioner that the co-accused has already been enlarged on bail. The petitioner is also in the same footing and he is not an FIR named person. Therefore, the petitioner should be enlarged on bail.

Learned advocate for the State opposes the prayer for bail and produces the case diary. He further contends that the petitioner is not in the same footing with the co-accused as has been projected by the learned advocate appearing for the petitioner. The petitioner is the principal accused. He also draws the attention of this court to the statement under Sections 161 and 164 of the Cr.P.C. Therefore, court should not allow the application for bail.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the case diary as well as the statement made under Sections 161 and 164 of the Cr.P.C., in our considered view, the application for bail should not be allowed.

Accordingly, the application for bail is rejected.

The application for bail being C.R.M. 9428 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Kausik Chanda, J.)