

24.12.2020
Sl. No.55
akd
[Rejected]

C. R. M. 10688 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.12.2020 in connection with Belur Police Station Case No.01 of 2020 dated 01.01.2020 under Sections 302/120B/34 of the Indian Penal Code. (G.R. Case No.01 of 2020)

And

In Re: ***Binay Kumar Shaw @ Binoy Kumar Shaw @ Bijoy Kumar Shaw***
... .. Petitioner

Mr. Ayan Bhattacharyya .. Advocate
Mr. Anand Kesari .. Advocate
Mr. Sekhar Mukherjee .. Advocate
... .. for the petitioner

Mr. Madhusudan Sur .. Ld. Addl. Public Prosecutor
Mr. Dipankar Pramanick .. Advocate
... .. for the State

It is submitted on behalf of the petitioner that co-accused is on bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits that the petitioner is the principal assailant who hit the deceased with a cement block resulting in his death.

We note the primary role played by the petitioner in assaulting the deceased with a cement block. Accordingly, he does not stand on the same footing with the co-accused who has been enlarged on bail. Hence, we are not inclined in granting bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

