

23.03.2021.
02.
as
(Rejected)

C.R.M. 962 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No.507 of 2019 dated 20.07.2019 under Sections 302/34 of the Indian Penal Code.

In the matter of : Rabi Das @ Rabindra Das.
.... Petitioner.

Mr. Soupal Chatterjee.
...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahata.
...for the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

This is an application for bail in connection with Chanchal P.S. Case No.507 of 2019 dated 20.07.2019 under Sections 302/34 of the Indian Penal Code at the behest of the petitioner.

The present application is founded on the ground of parity with the other co-accused who have been enlarged on bail.

The learned Advocate appearing for the petitioner hands over the downloaded copy of the official website of the server in connection with C.R.M.7932 of 2020 wherein the joint

application of Krishna Pramanik and Jaso Pramanik @ Jasha Pramanik @ Sabitrai Pramanik were disposed of granting bail to Jaso Pramanik @ Jasha Pramanik @ Sabitrai Pramanik, being the wife of Krishna Pramanik but the prayer for bail of Krishna Pramanik was refused.

It is not in dispute that Krishna Pramanik and the present petitioner stand on the same footing. The said order of rejection was passed on 2nd December, 2020. We do not find any changed circumstances during the interregnum period between the date of rejection of the application for bail of Krishna Pramanik and the present petitioner.

Furthermore, the charge sheet has already been submitted but the charges have not been framed and, therefore, we do not think that it is a fit case where the petitioner should be enlarged on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

However, we request the learned Judge in the trial court to take utmost efforts to frame the charge on the next date so fixed.

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)

