

28.04.2021
Court No.28
rpan /07

CRM 1814 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Arambagh Police Station Case No. 296 of 2019 dated 22.07.2019 under Sections 302/201/120B/34 of the Indian Penal Code;

And

In Re: **Jhantu Dolui**

...Petitioner

Mr. Niladri Sekhar Ghosh,

Mr. Tapodip Gupta

...For the Petitioner

Mr. Sudip Ghosh,

Mr. Apurba Kumar Datta

...For the State

The learned advocate for the petitioner submits that the petitioner is in custody since 22nd July, 2019 and the present petitioner is on better footing than another co-accused, Shyamal Bag, who has been granted bail. Additionally, the learned advocate submits that there is no evidence against the present petitioner warranting further detention and as such, on any stringent condition, he may be released on bail.

Mr. Ghosh, learned advocate appearing for the State has drawn the attention to the statements of the witnesses which included the mother and the sister-in-law of the deceased as well as the post-mortem report and the seizure list which are available in the case diary.

We have assessed the materials available in the case diary and *prima facie*, we are of the view that the petitioner had strong motive in the alleged commission of the offence along with another

co-accused namely Moyna Pramanik. Shyamal Bag, who has been granted bail, is on a better footing than the present petitioner. Accordingly, we are not inclined to release the petitioner on bail at this stage.

As such, the application for bail, being CRM 1814 of 2021, is rejected.

Let the case diary be returned to Mr. Ghosh, learned advocate for the State.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)