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Kole
26.07.2021
Ct. No.32
Rejected

C.R.M. 3486 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **20/04/2021** in connection with **Jalangi Police Station Case No. 374 of 2019** dated **12/06/2019** under Sections **341/325/326/307/302/120B/34** of the Indian Penal Code and Sessions Serial No. 722 of 2019.

And

In the matter of: - **Motahar Hossain**

....petitioner.

Mr. H. De,
Md. H. Ali Rashid

...for the petitioner.

Mr. S. Banerjee,
Mr. Suman De,

...for the State.

The petitioner renews his prayer for bail after his prayer was rejected on two occasions earlier by a Co-ordinate Bench. It is submitted on behalf of the petitioner that a co-accused standing on the same footing has been granted bail earlier and the trial is in progress. Further detention of the petitioner is not required.

The State opposes the prayer for bail and refers to the case diary. It is submitted on behalf of the State that sufficient material have come into light against the petitioner, *prima facie*, suggesting his direct involvement in the alleged offence. Trial has progressed substantially.

Upon consideration of the entire material on record as well as a prior observation of a co-ordinate bench to the effect that the present petitioner does not stand on the same footing as the co-accused who were granted bail and also in view of the fact that trial has progressed substantially, we are not inclined to

grant bail to the petitioner at this stage.

Accordingly the prayer for bail is rejected.

CRM No. 3486 of 2021 is dismissed.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)