

04.08.2021

Sl. No. 30

Srimanta

Ct. No. – 28

D/L

**CRM/3614/2021
(Via Video Conference)**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Uluberia Police Station Case No. 77 of 2020 dated 24.02.2020 under Section 302/34 of the Indian Penal Code (G.R. Case No. 442 of 2020) rejecting the bail application passed by the Court of the Learned Additional District & Session Judge, 1st Court, Uluberia, Howrah.

In the matter of : Anup Dolui & Anr.

... petitioners.

Mr. Dipankar Aditya, Adv.,
Ms. Tina Biswas, Adv.

...for the petitioners.

Mr. Neguive Ahamed, APP,
Mr. Anwar Hossain, Adv.,
Mrs. Trina Mitra, Adv.

...for the State.

The petitioner is in custody since 25th January, 2021 having voluntarily surrendered before the Trial Court. The petitioners claim parity as two of the co-accused stood on the same footing. In course of hearing it transpires that the aforesaid co-accused were enlarged on a statutory bail and since the petitioners were absconding, they cannot claim parity on such ground.

After perusing the statement of the evidence recorded under Section 164 of the Criminal Procedure Code and the complicity of the petitioner to the alleged offence we do not feel that the petitioners are entitled to be released on bail. The prayer for bail is **rejected**.

The application being CRM 3614 of 2021 is **dismissed**.

(Bibek Chaudhuri, J.)

(Harish Tandon, J.)