

17.09.2021
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Ct. No 29
sdas
rejected

C.R.M. 4700 of 2021
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 185 of 2020 dated 15.05.2020 under Sections 302/34 of the Indian Penal Code.

And

In Re : Sachin @ Sachen Mondal @ Shachin Mandal petitioner

Mr. Musharraf Alam Sk.

... for the petitioner

Mr. Saibal Bapuli, learned A.P.P.

Mr. Bibaswan Bhattacharya

... for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is on the same footing as the co-accused who was granted bail on April 13, 2021. The petitioner is in custody since May 16, 2020.

Learned advocate appearing for the State draws attention of the Court to the contents of the Case Diary. He submits that the petitioner is the principal accused and he was last seen together with the deceased. The weapon was recovered from the house of the petitioner.

Considering the facts and circumstances of the case and considering the materials in the Case Diary, we are unable to hold that the petitioner stands on the same footing as the co-accused Dilip Mandal, who was granted bail by a Co-ordinate Bench on April 13, 2021.

Accordingly, prayer for bail is rejected and the application being CRM 4700 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)