

29.09.2021
Serial no.69
Dd

(Through Video Conference)

CRM 4788 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **16th July, 2021** in connection with **Gazole** Police Station Case No. **414** of **2020** dated **11.09.2020** under **Sections 341/376/307/201/506** of the Indian Penal Code (G.R. No. 5316 of 2020).

-And-

In the matter of : Masidur Rahaman

... ..Petitioner

Mr. Kallol Mondal, Advocate

... .. For the Petitioner

Ms. Sukanya Bhattacharya

Md. Kutub Uddin, Advocates

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is languishing in jail in excess of 270 days. The co-accused was granted bail. The de facto complainant is the neighbour of the petitioner.

Learned advocate appearing for the State draws the attention of the court to the statements recorded under Section 164 of the Criminal Procedure Code of the victim as well as the medical report. He submits that the trial is in progress and that the evidence of the witnesses are being recorded.

Considering the stage of the trial and the materials in the case diary including the medical report we are unable to find that the petitioner stands in the same footing as the other accused who was granted bail. We are not inclined to grant bail to the petitioner.

CRM 4788 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)