

15.09.2021
tkm/ct 29
sl no. 4

**C.R.M. 5862 of 2021
(Via Video Conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Serampore P.S case no. 293 of 2020 dated 30.9.2020 under sections 498A/304B of the IPC
And

In Re : Dilip Choudhury petitioner

Ms. J Rudra
..... for the petitioner

Ms. Kum Kum Mitra
..... for the State

Petitioner seeks bail.

Petitioner is in custody for 348 days.

Learned advocate for the petitioner submits that other co-accused persons were granted pre-arrest bail by the jurisdictional court. The allegations against the other co-accused are same as against the petitioner.

Learned advocate for the State draws attention of this court to the post mortem report as well as the statement recorded under section 161 Cr.P.C.

Considering the facts and circumstances of the case and the materials available in the case diary, we are of the opinion that petitioner does not stand on the same footing with the co-accused persons who were granted anticipatory bail by the jurisdictional court.

In such circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)