

07.09.2021  
Serial no.27  
Aloke  
Ct. No.29

**(Through Video Conference)**

**CRM 5801 of 2021**

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 26.08.2021 in connection with Kushmandi Police Station Case No. 26 of 2020 dated 07.03.2020 under Sections 302/201/120B of the Indian Penal Code.

And

**In the matter of : Buyali Kalandar Ali**

**... ...Petitioner**

Mr. Sajal Kanti Bhattacharyya, Advocate

Mr. Sarthak Burman, Advocate

... ... For the Petitioner

Mr. P.K. Datta, Id. APP

Mr. Santanu Deb Roy, Advocate

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is languishing in jail in excess of 500 days. He contends that since police submitted charge-sheet, further detention of the petitioner is not required. He draws the attention of the Court to the order passed by the Coordinate Bench granting bail to the co-accused on July 28, 2021.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the petitioner is one of the principal accused involved in the crime. He opposes the prayer for grant of bail.

Considering the facts of the case and considering the materials in the case diary, we are unable to pursue ourselves to hold that the petitioner is at parity with the other co-accused who were granted bail on July 28, 2021.

We are, therefore, unable to grant bail to the petitioner as prayed for.

CRM 5801 of 2021 is dismissed.

**(Debangsu Basak, J.)**

**(Ananda Kumar Mukherjee, J.)**