

16.09.2021
tkm/ct 29
sl no. 9

**C.R.M. 5992 of 2021
(Via Video Conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S Case no. 134 of 2020 dated 4.6.2020 under sections 498A/304B/34 of the IPC
And

In Re : Tarun Mondal @ Toton Mondal petitioner

Ms. Sananda Bhattacharyya
..... for the petitioner

Mr. S G Mukherjee, Ld PP
Ms. Faria Hossain
Mr. Aniket Mitra
..... for the State

Petitioner seeks bail.

It is submitted on behalf of the petitioner that he is in custody for more than 289 days.

Learned advocate for the petitioner submits that FIR names the petitioner along with the parents in law of the deceased as accused. However, the police submitted charge sheet naming the petitioner and the mother in law of the victim as perpetrators. She submits that mother in law of the deceased was granted bail by a co-ordinate Bench of this court. According to her, the petitioner stands on the same footing as the mother in law of the deceased. She also submits that there is discrepancy between the contents of the FIR and the statement recorded under section 164 Cr.P.C.

Learned advocate for the State opposes the prayer for bail and draws attention of this court to the statement recorded under section 161 Cr.P.C. of the neighbours as well as the relatives.

Considering the facts and circumstances of the case and considering the statement recorded under section 161 Cr.P.C of the neighbours and relatives, we are of the opinion that the petitioner does not stand on the same footing as that of his mother who was granted bail.

Accordingly, the prayer for bail is rejected.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)