

20.09.2021
Serial no.11
Dd

(Through Video Conference)

CRM 6017 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **3rd September, 2021** in connection with S C No. 19/ 2021 arising out of **Sandeshkhali** Police Station Case No. **192** of **2020** dated **7.11.2020** under **Sections 302/ 201/ 34** of the Indian Penal Code.

-And-

In the matter of : Prosenjit Barik

... ..Petitioner

Md. Aslam Khan,
Ms. Mommel Khan, Advocates
... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Pramanick, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 300 days. He submits that the police submitted charge sheet. However, according to him, the case is yet to be committed. He seeks parity with another co-accused who was granted bail.

Learned advocate appearing for the State draws the attention of the court to the contents in the case diary.

On query from court learned advocate appearing for the petitioner is unable to name the co-accused who was granted the bail which he spoke of.

Since the petitioner is unable to produce the order of bail claimed to be granted in favour of the co-accused, we are unable to find anything on the issue of parity.

Considering the case diary and the materials therein, and considering the complicity of the petitioner in the instant

case as appearing from the case diary, we are not inclined to grant bail to the petitioner.

CRM 6017 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)