

08.11.2021
Serial no. 03
Dd

(Through Video Conference)

CRM 6682 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Kolkata Leather Complex** Police Station Case No. **37** of **2018** dated **11.03.2018** under **Sections 147/148/149/302/120B** of the Indian Penal Code.

-And-

In the matter of : Jaladhar Mondal

...Petitioner

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Gaurango Kr. Das,
Mr. Sumit Routh, Advocates
... .. For the Petitioner

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta, Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for three years and eight months. He submits that the prosecution is yet to produce any witness for examination. He submits that three other co-accused were granted bail by the Co-ordinate Benches.

Learned advocate appearing for the State submits that the petitioner cannot claim parity with the other co-accused who were granted bail. He draws the attention of the Court to the statements recorded under Section 161 of the Criminal Procedure Code of one of the witnesses to the incident.

Considering the materials in the case diary and considering the statements recorded under Section 161 of

the Criminal Procedure Code of the witness of the incident, it cannot be said that the petitioner stand in the same footing as that of the other co-accused who were granted bail by the co-ordinate Benches.

Considering the involvement of the petitioner, we are not inclined to grant bail to the petitioner.

CRM 6682 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)