

08.12.2021
cm/ct 28
sl no. 116

C.R.M. 7631 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection Nowda P.S Case No. 7 of 2019 dated 08.01.2019 under Sections 341/326/307/34 of the Indian Penal Code read with Sections 25/27 Arms Act.

And

Rejected

In Re : Ebadat Khan @ Kha

..... petitioner

Mr. Sekhar Basu, Sr. Adv.

Mr. Diptangshu Basu

..... for the petitioner

Mr. Madhu Sudan Sur, Ld. APP

Mr. M. Mahata

..... for the State

Petitioner is in custody for over 900 days. It is submitted that co-accuseds have been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner is a notorious criminal and has criminal antecedents.

We have considered the materials on record which prima facie connect the petitioner with the alleged crime.

He is also an accused in other serious offences and does not stand on the same footing with other accused persons.

In view of the aforesaid facts, we are not inclined to extend the privilege of bail to the petitioner on the principle of parity. Application for bail is rejected.

We request the Trial Court to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

