

06.12.2021.
71.
as
(Rejected)

C.R.M. 7901 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panchla P.S. Case No.141 of 2020 dated 25.06.2020 under Sections 341/323/302/506/34 of the Indian Penal Code.

In the matter of : Rupak Mondal. ...Petitioner.

Mr. Kallol Mondal,
Mr. S. Basu Roy Chowhdury. ...for the Petitioner.

Mr. Rudradipta Nandy. ...for the State.

Heard the learned Advocates appearing for the petitioner and the State.

Petitioner is in custody for more than one year. It is submitted that the incident occurred in the course of a sudden quarrel and co-accuseds have been enlarged on bail.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioner is the principal assailant who hit the victim by a rod on his head.

We have considered the materials on record. Petitioner hit the victim with an iron rod on his head. Post mortem report discloses death due to head injury. Petitioner does not stand on the same footing with the co-accuseds who have been enlarged on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

