

21.12.2021
Item 130
Court No.28.
AB

CRM No. 8487 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No.993 of 2020 Dated 03.11.2020 under Sections 147/148/149/326/307/302/201 of the Indian Penal Code read with Sections 25/27/35 of the Arms Act

And

In the matter of : Babul Hossen @ Babul Hossain

.....Petitioner.

Mr. Amitava Karmakar,
Mr. A. K. Bhowmickfor the Petitioner.

Mr. Saibal Bapulifor the State.

It is submitted on behalf of the petitioner that he is in custody for 381 days. Co-accused persons are on bail.

Learned lawyer appearing for the State opposes the prayer for bail and submits that the petitioner is the principal accused, who fired shot at the victim resulting in his death.

We have considered the materials on record prima facie disclosing the principal role played by the petitioner as the person who fired at the victim who ultimately died. Hence, we are of the opinion in view of the gravity of the offence and as the petitioner does not stand on the same footing with the co-accused persons who have been granted bail, we are not inclined to grant bail to him at this stage.

The prayer for bail is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)