

25.01.2021
Court No.28
rpan / 33

C.R.M. 9955 of 2020
with
CRAN 1 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Palashipara P.S. Case No.224 of 2020 dated 18.08.2020 under Sections 498A/326/201/304B/302/34 of the Indian Penal Code.
And

In Re : **Jul Hossain Sk @ Patol**
...Petitioner.

Mr. Atis Kumar Biswas,
Mr. Amit Singh
... for the petitioner.
Mr. Swapan Banerjee,
Mr. Suman De
... for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours from date. Subject to such undertaking, the application is taken up for hearing. The application, being CRAN No. 1 of 2020 is, accordingly, disposed of.

Mr. Biswas, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Co-accused persons, similarly situated with the petitioner, have been granted bail by a co-ordinate Bench of this Court. Upon completion of investigation, charge-sheet has been filed and as such, further detention of the petitioner, who is in custody for 150 days, is not warranted.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

We have perused the orders by which co-accused persons have been enlarged on bail and the materials in the case diary including the statement of the complainant.

Prima facie, the extent of complicity of the petitioner is not similar to that of the co-accused persons, who have been granted bail. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner and to grant him bail at this stage.

The application for bail, being CRM 9955 of 2020 is, accordingly, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)