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03.02.2022
(sourav)
Court No.29
(Rejected)

CRM (DB) 267 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **25.01.2022** in connection with **Bankura** Police Station Case No. **239** of **2020** dated **11.12.2020** under Sections **302/201/379/34** of the Indian Penal Code.

And

In the matter of: **Toton Duari**.

....petitioner.

Mr. Soumik Ganguli

...for the petitioner.

Mr. Rudradipta Nandi

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 388 days. The police filed charge-sheet. Two other co-accused were granted bail by the co-ordinate bench on different dates.

Learned Advocate appearing for the State submits that the petitioner is the principal accused. He draws the attention of the Court to the order granting bail to the other co-accused dated November 18, 2021 in CRM 4998 of 2021.

Considering the gravity of the offence and the involvement of the petitioner therein as prima facie appearing from the materials in the case diary, we are of the view that the petitioner does not stand in the same footing as that of the two other co-accused who were granted bail on November 16, 2021 and November 18, 2021. Consequently, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 267 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

