

23.03.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M. (DB) 379 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliganj** Police Station Case No. **352** of **2021** dated 03.07.2021 under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re : Sufal Rajowar @ Sukla & Ors.

..... petitioners

Mr. Prabir Majumdar

....for the petitioners

Mr. Swapan Banerjee

Ms. Purnima Ghosh

....for the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that, the petitioners are in custody in excess of 259 days. The police filed charge-sheet and, therefore, further detention of the petitioners is not required. He submits that, another co-accused was granted bail by the Jurisdictional Court.

Learned advocate appearing for the State submits that, the offending weapons were seized on the leading statement made by the petitioner nos. 1 and 3. The vehicle used belongs to the petitioner no. 2, who is the son of the petitioner no. 1. None of the three petitioners stand on the same footing as that of the person who was granted bail on January 31, 2022 in CRM 8436 of 2021.

The co-accused was granted bail by the Coordinate Bench on January 31, 2022 in CRM 8436 of 2021 as an aged family member against whom no specific act was attributed. The petitioners cannot be claim themselves stand on the same footing as that of the other co-accused. Offending weapons were recovered on the leading statement of the first and the third petitioner. The vehicle was seized from the petitioner no. 2, who is the son of the petitioner no. 1.

Considering the gravity of the offence and the materials in the case diary implicating the petitioners in the offence, we are unable to grant bail to the petitioner.

In such circumstances, prayer for bail of the petitioners is rejected and the application being CRM (DB) 379 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)