

23.03.2022

Sl. 92
Court No.29
suvayan
(rejected)

C.R.M. (DB) 425 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.02.2022 in connection with **Saltora** P.S. case No. **63 of 2020** dated **27/09/2020** under Sections **143/144/147/148/447/324/326/307/302/506/120 B** of the Indian Penal Code.

And

In the matter of: Sajal Majhi

....petitioner.

Mr. Soumik Ganguly

...for the petitioner.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of one year. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He submits that two other co-accuseds were granted bail. The petitioner stand on the same footing.

Learned Advocate appearing for the State draws the attention of the Court to the order of the jurisdictional Court refusing the prayer for bail of the petitioner. He submits that the two other co-accuseds were granted bail on the ground of health condition and the age of such accused. The petitioner cannot be equated with such other co-accuseds.

There is an order of rejection of the prayer for bail by this Hon'ble Court passed on August 26, 2021 in CRM 4422 of 2021 where the co-ordinate Bench records that there are materials which cannot rule out complicity of the petitioner in the alleged offence.

The petitioner cannot claim benefit of the order of bail granted two other co-accuseds who are enlarged on bail on the ground of medical condition and their age.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any material change in circumstances subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 425 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)