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(AD)

16.02.2022

Court No.29

(Rejected)

C.R.M. (DB) 442 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Beldanga** P.S. Case No.**222 of 2020** dated **20/05/2020** under Sections **448/325/326/307/302/34** of the Indian Penal Code.
And

In the matter of: Bappaditya Mondal @ Babai Mandal
....petitioner.

Mr. Arindam Sen
Mr. Sourav Basu
Mr. Shibasis Chatterjee

...for the petitioner.

Mr. Rudradipta Nandy

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner stands on the same footing as that of Alok Mandal and Laban Mandal who were granted bail by the jurisdictional Court. Moreover, the petitioner is in custody for 629 days.

Learned Advocate appearing for the State draws the attention of the Court to the statements of the injured recorded under Section 161 of the Code of Criminal procedure and also the statements of the eye-witness. Both the statements named the petitioner as the main assailant. The petitioner cannot, therefore, be treated as standing on the same footing as that of the two other co-accused granted bail by the jurisdictional Court.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

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

However, in the interest of justice, we request the learned jurisdictional Court to dispose of the trial as expeditiously as possible without affording any unnecessary adjournments to any of the parties.

C.R.M. (DB) 442 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)