

17.02.2022
Sl. 32
Court No.29
sourav
(Rejected)

C.R.M. (DB) 448 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **10.02.2022** in connection with **Ausgram** P.S. Case No. **283** of **2021** dated **08.09.2021** under Sections **302/307/120B** of the Indian Penal Code and Sections **25/27/35** of the Arms Act.

And

In the matter of: **Md. Pappu**

....petitioner.

Mr. Sanat Kumar Das

...for the petitioner.

Mr. Neguive Ahmed

Ms. Trina Mitra

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 155 days. The police filed charge-sheet. The other co-accused was granted bail. He submits that the petitioner stands in the same footing as that of the other co-accused who was enlarged on bail.

Learned Additional Public Prosecutor appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Criminal Procedure Code. He submits that the petitioner is the hire killer and does not stand on the same footing as that of the other co-accused granted bail.

Considering the materials in the case diary including the statement under Section 164 of the Criminal Procedure Code which implicates the petitioner in the offence, we are of the view that the petitioner does not stand in the same footing as that of the other co-accused enlarged on bail.

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.

C.R.M. (DB) 448 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

