

09.03.2022

Sl. 54
Court No.29
suvayan
(rejected)

C.R.M. (DB) 668 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.03.2022 in connection with **Aushgram** P.S. Case No. **138 of 2020** dated **10/06/2020** under Sections **341/326/307/302/34** of the Indian Penal Code.

And

In the matter of: Indadul Sekh

....petitioner.

Mr. Rabi Sankar Chattopadhyay
Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Mr. S. Das

...for the petitioner.

Mr. Madhusudan Sur
Mr. Dipankar Paramanick

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 1 year and 3 months. The police filed charge-sheet. Therefore, further detention of the petitioner is not required. He submits that prayer for bail was rejected in respect of two other co-accuseds. However, a considerable period elapsed since the last rejection.

Learned Advocate appearing for the State submits that two co-accuseds standing on the same footing as the petitioners applied for bail by CRM 3960 of 2021 and CRM 6461 of 2021 which was rejected by orders dated August 9, 2021 and December 1, 2021 respectively. The application for anticipatory bail of the petitioner was rejected by this Hon'ble Court. Thereafter, warrant of arrest was required to be issued for the arrest of the petitioner. He submits that eyewitnesses implicate the petitioner in the incident.

There are two orders of rejection of prayer for bail made on behalf of co-accuseds who stand on similar footing that of the

petitioner being CRM 3960 of 2021 and CRM 6461 of 2021. The last of the order of rejection dated December 1, 2021 passed in CRM 6461 of 2021.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 668 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)