

23.03.2022

Sl. 42
Court No.29
suvayan
(rejected)

C.R.M. (DB) 799 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.03.2022 in connection with **Jamuria** P.S. case No. **236 of 2021** dated **18/06/2021** under Sections **363/365/376D/506/120B** of the Indian Penal Code, 1860.

And

In the matter of: Manish Yadav

....petitioner.

Mr. Anit Dey

...for the petitioner.

Mr. Prasun Kumar Dutta

Mr. Santanu Deb Roy

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner stand in the same footing as that of Mithun Pandey who was granted bail by the co-ordinate Bench on March 14, 2022 in CRM (DB) 264 of 2022.

Learned Advocate appearing for the State submits that the petitioner does not stand in the same footing as Mithun Pandey. He refers to the statement of the victim recorded under Section 164 of the Criminal Procedure Code where the victim implicates the petitioner. He submits that the various articles including the vehicle used for the abduction was seized from the petitioner.

The materials in the case diary suggest that the petitioner is the prime accused. There are sufficient materials in the case diary to implicate the petitioner in the offence. It cannot be said that the petitioner stands on the same footing as that of the other co-accuseds who was granted bail by the co-ordinate Bench.

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) 799 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)