

02.05.2022
Serial no.48
[Dd]
(Bail **Rejected**)

CRM (DB) 1154 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **386** of **2020** dated **September 1, 2020** under Sections **341/326/307/302/120B/34** of the Indian Penal Code and Sections **25/27** of Arms Act, 1959.

-And-

In the matter of : Sri Ashoke Roy @ Ashok Ray
... ...Petitioner

Ms. Sananda Bhattacharyya, Advocate
... ... For the Petitioner

Mr. Nequive Ahmed, Id. APP
Ms. Trina Mitra, Advocates
... ...For the State

Petitioner seeks bail on the ground of parity with that of other co-accuseds who were enlarged on bail by this Hon'ble Court.

Learned Additional Public Prosecutor submits that in the dying declaration, the victim identified the petitioner as one of the assailants. He submits that the petitioner cannot place himself on the same footing as that of the other co-accused who was enlarged on bail.

There is a dying declaration of the victim naming the petitioner as one of the assailants.

Consequently, the petitioner herein does not stand on the same footing as that of the other persons who were enlarged on bail by this Honb'ble Court.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the

materials in the case diary, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 1154 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)