

17.05.2022
Serial no.67
[Dd]
(Bail Rejected)

CRM (DB) 1271 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chittaranjan** Police Station Case No. **04** of **2021** dated **17.01.2021** under Sections **302/120B/34** of the Indian Penal Code and Sections **25/27** of the Arms Act.

-And-

In the matter of : Gulab DasPetitioner

*Mr. Ayan Bhattacharjee,
Mr. Tirupati Mukherjee, Advocates
... .. For the Petitioner*

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

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that subsequent to earlier order of rejection on February 1, 2022 passed in CRM (DB) 157 of 2022 another co-accused was granted bail by this Hon'ble Court. He submits that the petitioner stands on the same footing as that of such co-accused.

Learned Additional Public Prosecutor refers to the statement of one eye-witness recorded under Section 161 of the Criminal Procedure Code.

Such eye-witness recorded statement under Section 161 of the Criminal Procedure Code states that the petitioner was the person who shot the victim.

Considering the materials in the case diary implicating the petitioner and considering the statement of the eye-witness recorded under Section 161 of the Criminal

Procedure Code, we are not inclined to grant bail to the petitioner.

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

CRM (DB) 1271 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)