

06.06.2022
tkm/ct 28
sl no. 26

C.R.M. (DB) 1351 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Taherpur PS case no. 13/2022 dated 10.1.2022 under sections 448/325/326/307/392 adding sections 412/413 I.P.C.

And

In Re : Umesh Hazra & Anr.

..... petitioners

Ms. S Bhattacharyya

..... for the petitioners

Ms. Zareen N Khan

Mr. Ashok Das

..... for the State

Petitioner no. 1 is in custody for 130 days and petitioner no. 2 is in custody for 280 days respectively. It is submitted that co-accuseds have been granted bail.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioners are the principal accuseds who committed robbery. Victim suffered grievous injuries. They do not stand on the same footing with the co-accuseds who have been enlarged on bail.

We have considered materials on record including the statement of witnesses. Petitioners have been identified during test identification parade. Victim suffered grievous injuries.

In view of the gravity of the offence and as the petitioners are the principal accuseds and do not stand on the same footing with co-accuseds who have been enlarged on bail, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)