

06.06.2022
cm/ct 28
sl no. 36

C.R.M.(DB) No. 1365 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Penro P.S Case No. 120 of 2021** dated **30.10.2021** under Sections **302/201/212/34** of the Indian Penal Code.
And

Rejected

In Re : Debasish Nayek

..... petitioner

Mr. Devranjan Das

Mr. Ajay Debnath

..... for the petitioner

Mr. Saibal Bapuli, learned A.P.P.

Mr. A. Bhattacharyya

..... for the State

Petitioner renews his prayer for bail. It is submitted that he has been falsely implicated in the instant case. It is further submitted co-accused Manoj Singh has been granted bail.

Learned Additional Public Prosecutor opposes the prayer for bail. He submits petitioner is one of the principal assailants and his role has been disclosed by eyewitnesses.

We have considered the materials on record including statements of eyewitnesses prima facie disclosing involvement of the petitioner in the crime. His prayer for bail was rejected earlier in March, 2022 in CRM(DB) No. 821 of 2022. He does not stand on the same footing with co-accused Manoj Singh who has been enlarged on bail.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application being CRM(DB) No.1365 of 2022 is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)