

CRM (DB) 1421 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **811** of **2020** dated **11.9.2020** under Sections **302/34** of the Indian Penal Code.

And

In the matter of: **Rajesh Show @ Rajesh Sha**

....petitioner.

Mr. Antarikhya Basu

Mr. Soumya Basu Chowdhuri

...for the petitioner.

Mr. N. Ahmed

Mr. Manoranjan Mahata

... for the State.

Learned counsel for the petitioner contends that other alleged accomplices of the petitioner have already been enlarged on bail. By relying on the notion of equal liability of all accused for the offence, within the contemplation of the Section 34 of the Code of Criminal Procedure, learned counsel submits that the petitioner also ought to be granted the benefit of bail.

That apart, the petitioner is in custody for a long period of 652 days and, as such, has been languishing without any reason, despite charges having not yet been framed in the case till date.

Learned counsel for the State submits that the CCTV footage obtained at the location indicates direct involvement of the petitioner in the offence. That apart, the next date is fixed on June 16, 2022 for framing of charges.

Although it is unfortunate that a long period has been wasted without framing charges till date, we find from the prima facie materials on record that the involvement of the petitioner in the alleged offence was direct, insofar as the CCTV footage discloses

that the petitioner ran a tanker over the victim and fled away from the place, resulting in grievous injury of the victim.

Hence, we do not find any reason to vary our stand from the previous rejection of bail by a co-ordinate Bench on the prayer of the petitioner nine months back.

Accordingly, CRM (DB) 1421 of 2022 is rejected.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)