

24.06.2022

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rejected

C.R.M. (DB) 1996 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kushmandi Police Station Case No. 26 of 2020 dated 07.03.2020 under Sections 302/201/120B of the Indian Penal Code.

And

In Re : Buyali Kalandar Ali petitioner

Ms. Busra Khatun

... for the petitioner

Mr. P. K. Datta, learned APP

Mr. Subrata Roy

... for the State

Petitioner is in custody for 442 days.

Learned Counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the instant case. Co-accuseds are on bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the paramour of the wife of the deceased. He along with wife of the deceased entered into conspiracy to murder him. Co-accuseds who have been enlarged on bail do not stand on the same footing with the petitioner.

In view of the aforesaid facts including primary role played by the petitioner in the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

