

29.06.2022.
42.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2020 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Thanapara P.S. Case No.203 of 2021 dated 22.11.2021 under Sections 148/149/323/302/504/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3 / 4 of the E. S. Act.

In the matter of : Mofejuddin Mondal @ Mafez Mondal
@ Mofej & Anr.

... Petitioners.

Mr. Partha Pratim Das,
Mr. Asraf Mandal.

...for the Petitioners.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioners are in custody for about 200 days. It is submitted they have been falsely implicated in the instant case. Co-accuseds are on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record particularly statements of the children of the deceased at pages 84 and 85 of the Case Diary. Their statements implicate the petitioners as members of the group who attacked the deceased resulting in his death. They do not stand on the same footing with the co-accuseds who have been enlarged on bail.

Keeping in mind the aforesaid fact and the prima facie involvement of the petitioners in the alleged crime and the

gravity of the offence, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)