

05.07.2022
Sl. No.25
akd
[Rejected]

C. R. M. (DB) 2105 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.06.2022 in connection with Dhubulia Police Station Case No. 270 of 2020 dated 23.10.2020 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re: ***Hasen Mondal***

... .. Petitioner

Mr. Debarshi Brahma

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. Apurba Kumar Datta

... .. for the State

Petitioner renews his prayer for bail.

It is submitted on behalf of the petitioner that he is in custody for about 574 days. It is further submitted co-accused has been enlarged on bail.

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

We have considered the materials on record. Statements of witnesses show petitioner and co-accuseds viz. Sentu Shah and Rashid were seen fleeing from the spot. Co-accused viz. Dipankar Mondal, who has been enlarged on bail, does not stand on the same footing with the petitioner. In view of the aforesaid fact, gravity of the offence and incriminating materials against the petitioner, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

