

15.07.2022
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rejected

C.R.M.(DB) No. 2323 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 379 of 2020 dated 23.12.2020 under Sections 302/201/376D of the Indian Penal Code and Section 6 of the POCSO Act.

In Re : Oliulla Mallick @ Sajijul petitioner

Mr. Asraf Mandal
... for the petitioner

Mr. Neguive Ahmed, learned APP
Ms. Ayantika Roy
... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits that he is in custody for over 500 days. It is further submitted that co-accuseds are on bail.

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

We have considered the materials on record. Petitioner had threatened the minor victim and was seen in and around the area where body of the minor victim was recovered.

Keeping in mind the aforesaid incriminating materials and in view of gravity of the offence, we are of the opinion that the petitioner does not stand on the same footing with co-accuseds who are on bail and this is not a fit case to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and to conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)