

28.07.2022

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rejected

C.R.M. (DB) No. 2463 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarh Police Station Case No. 548 of 2020 dated 05.10.2020 under Sections 302/120B/34/212/201 of the Indian Penal Code read with Sections 25/27 of Arms Act.

And

In Re : Sonu Kumar Roy @ Sonu Kumar Ray petitioner

Mr. Somopriyo Chowdhury

Ms. Sangeeta Roy

Mr. Chandra Prakash

Mr. Dipankar Ghosh

Ms. Debi Priya Mitra

... for the petitioner

Mr. Saswata Gopal Mukherjee, learned PP

Mr. Neelive Ahmed, learned APP

Ms. Trina Mitra

... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 667 days. Petitioner is around 20 years old. It is also submitted that there is hardly any material to connect him with the crime. Co-accuseds have been enlarged on bail.

Learned Counsel appearing for the State opposes prayer for bail. He submits that petitioner was the person who identified the victim to sharp shooters. Prayer for bail of Raja Ray has been turned down by this Court.

We have considered the materials on record. Petitioner was present at the place of occurrence and there are materials to show that he had identified the victim to sharp shooters. He

does not stand on the same footing with co-accuseds whose complicity transpires from call detail records alone. On the other hand, prayer for bail of co-accused, Raja Ray, who is similarly circumstanced with the petitioner, was turned down by this Court.

In view of the aforesaid materials and prima facie role of the petitioner in the crime, 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.)