

22.08.2022  
cm/ct 28

**C.R.M. (DB) No. 2760 of 2022**

sl. no.21

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Chapra P.S Case No. 206 of 2021** dated **14.05.2021** under Sections **341/325/326/307/34** of the Indian Penal Code.

Rejected

And

In Re : Abdul Sk. @ Abul @ Abdul Hossain Sk & Anr.  
..... petitioners

Mr. Biswajit Hazra  
..... for the petitioners

Mr. Dhiraj Trivedi, Assistant A.S.G.  
Mr. Samrat Goswami  
Mr. Shailendra Kumar Mishra  
..... for the State

It is contended co-accuseds have been granted pre-arrest bail. Petitioner No.1 is in custody for 424 days and petitioner No.2 is in custody for 356 days respectively. They pray for bail.

Mr. Trivedi, learned Assistant Solicitor General opposes the prayer for bail. He submits order of pre-arrest bail of co-accuseds has been assailed before the Apex Court in Special Leave to Appeal (Crl.) No 5922 of 2022. Bail payer of co-accuseds have been turned down in CRM (DB) 1864 of 2022 and CRM(DB) 1865 of 2022. Bail prayer of the petitioners was turned down on 20<sup>th</sup> April, 2022 in CRM 8969 of 2021.

We have considered the materials on record. Statements of witnesses recorded under Section 161/164 Cr.P.C. implicate the petitioners. Bail prayer of the petitioners was turned down in April, 2022 by a coordinate Bench of this Court in CRM 8969 of 2021. Thereafter, bail prayer of co-accuseds have been turned down in CRM (DB)1864 of 2022 and CRM(DB) 1865 of 2022.

Under such circumstances, we are of the opinion there is no merit in the instant application.

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

**( Ananya Bandyopadhyay, J. )**

**( Joymalya Bagchi, J.)**