

28.09.2022

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rejected

C.R.M.(DB) No. 2827 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Canning Police Station Case No. 494 of 2021 dated 21.11.2021 under Sections 302/379/34 of the Indian Penal Code and Sections 25/27/35 of Arms Act.

And

In Re : Chhakat Alisk @ Foring petitioner

Mr. Subhabrata Chowdhury
Ms. Tripti Pandey
Mr. Biswajit Goswami
....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Manoranjan Mahata
..... for the State

Mr. Sabir Ahamed
Mr. Angshuman Chakraborty
Mr. S. S. Saha
..... for de facto complainant

Learned Counsel appearing for the petitioner submits he is in custody for over 250 days. It is also submitted that petitioner is not the principal accused. Co-accuseds are on bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. On the leading statement of the petitioner weapon of offence i.e. gun was recovered.

Keeping in mind the aforesaid incriminating circumstance we are of the opinion petitioner does not stand on

the same footing with co-accuseds who are on bail. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)