

58
04.01.2022
(sourav)
Court No.29

C.R.M. 9008 of 2021
(Via Video Conference)

(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.12.2021 in connection with Chapra Police Station Case No. 1 of 2020 dated 03.01.2020 under Sections **302/201/120B** of the Indian Penal Code.

And

In the matter of: Maidul Sk @ Mahidul Sk.

....petitioner.

Mr. Shataroop Purakayastha

...for the petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick

... for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that considering the period of detention of 726 days, and considering the fact that the other co-accused were granted bail by the Co-ordinate Bench, the prayer for bail should be granted.

Learned Advocate appearing for the State submits that the other co-accused was granted bail after recording a finding that such co-accused stand on a different footing as that of the petitioner. Therefore, according to him, the petitioner cannot claim parity. Moreover, he relies upon the order of the Co-ordinate Bench rejecting the prayer for bail of the petitioner.

There is hardly any material change in circumstances subsequent to the order of rejection of prayer for bail of the petitioner on March 23, 2021. The other co-accused was granted bail on the finding that such co-accused stood on a different footing than that of the petitioner. Consequently, the petitioner cannot claim parity with the other co-accused who

was granted bail.

In such circumstances, **CRM 9008 of 2021** is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

