

18.10.2022

Vacation Bench
SL No.35
S.B/s.biswas

C.R.M. (DB) 3533 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Garbeta** P.S. Case No. **123 of 2022** dated **17.03.2022** under Sections **379/420/456/409/411/467/120B/34** of the Indian Penal Code and Sections **3** of the Prevention of Damage to the Public Property Act.

And

In the matter of: **Ibrahim Khan @ Sk Ibrahim**

....Petitioner

Mr. Kisore Datta, Sr. Adv.
Mr. Sankar Nath Mukherjee,
Mr. Surojit Basu

...for the Petitioner

Mr. Madhusudan Sur,
Mr. Dipankar Paramanik

...for the State

Petitioner renews his prayer for bail. Earlier the prayer for bail was rejected on July 7, 2022.

It is contended on behalf of the petitioner that subsequent all other co-accused were enlarged on bail.

Learned advocate for the State draws the attention of this Court to the materials in the case diary and submits that the petitioner does not stand on the same footing with the other co-accused.

In view of the fact, there is a finding returned by the co-ordinate Bench on July 7, 2022 that the petitioner is involved in the conspiracy of illegal sale of public property, we are unable to grant bail to the petitioner. There is hardly any material change in circumstances from the earlier order of rejection.

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

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)