

30.09.2022.
55.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3475 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raiganj P.S. Case No. 844/2021 dated 28.09.2021 under Sections 326/307/302/109/120B/34 of the Indian Penal Code read with Sections 25(i)(o)/27 of the Arms Act and charge-sheeted Sections 326/307/302/109/120B/212/201/34 of the Indian Penal Code read with Section 25(i)(o)/27/35 of the Arms Act.

In the matter of : Sital Roy alias Papan roy

... Petitioner.

Mr. Asis Bhattacharyya

...for the Petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Arani Bhattacharyya

...for the State.

Petitioner is in custody for 368 days. He submits co-accuseds have been granted bail by the apex court as well as this Court. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits that the petitioner is the principal accused. He fired at the victim. Co-accuseds did not stand on the same footing with the petitioner.

We have considered the materials on record. Statements of the witnesses show petitioner is the principal accused who fired at the victim. He does not stand on the same footing with the co-accuseds who have been enlarged on bail.

In view of the aforesaid incriminating materials on record and the principal role played by the petitioner in the crime, we are not inclined to grant bail to the petitioner.

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

The trial court is requested to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)