

03.11.2022
tkm/ct 28
sl no.55

C.R.M. (DB) 3588 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. 494/2021 dated 21.11.2021 under Sections 302/379/34 of the Indian Penal Code and sections 25/27/35 of the Arms Act.

And

In Re : Saiful Laskar

..... petitioner

Mr. Kallol Mondal

Mr. D Mandal

Mr. A A Mondal

..... for the petitioner

Mr. Binay Panda

Ms. Puspita Saha

..... for the State

Mr. Angsuman Chakaborty

..... for the de facto complainant

Petitioner renews his prayer for bail. It is submitted co-accuseds have been granted bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner does not stand on the same footing with co-accuseds who are on bail.

Learned lawyer for the de facto complainant submits petitioner was present at the place of occurrence and on his leading statement ammunitions were recovered.

We have considered the materials on record. Statements of witnesses show petitioner was seen running away from the place of occurrence. On his leading statement ammunitions were recovered. He does not stand on the same footing with co-accuseds who have been enlarged on bail by this court. That apart, date has been fixed for recording evidence. Release of the petitioner on bail at this stage may hinder the progress of trial.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)