

16.11.2022
SI. No.15
akd
[Rejected]

C. R. M. (DB) 3979 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.11.2022 in connection with Asansol South Police Station Case No. 318 of 2020 dated 06.10.2020 under Sections 302/506/34 of the Indian Penal Code. (G.R. Case No.2072 of 2020)

And

In Re: ***Md. Shamshad Hussain @ Raja***
... .. Petitioner

Mr. Sekhar Kumar Basu .. Sr. Advocate
Mr. Avik Ghatak
Mr. Sagnik Mukherjee
... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Ms. Sreeparna Das
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 128 days. It is further submitted co-accuseds have been enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner played the principal role in the crime and strangled the victim. He does not stand on the same footing with co-accuseds, who are on bail. Under such circumstances and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

