

15.12.2022.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4400 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpura P.S. Case No.152 of 2019 dated 19.07.2019 under Sections 341/302/34 of the Indian Penal Code.

In the matter of : Subodh Mondal.

... Petitioner.

Mr. Mayukh Mukherjee,
Ms. Radhika Agarwal.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahata.

...for the State.

Petitioner is in custody since 6th July, 2022. He submits incident occurred in the course of a sudden quarrel. Co-accuseds are on bail. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner is the principal assailant.

We have considered the materials on record. Statements of witnesses show petitioner is the principal assailant. He had absconded. As a consequence, proceeding was delayed and co-accuseds were enlarged on bail.

In view of the aforesaid circumstances which show principal role of the petitioner in the crime, we are not inclined to grant bail to the petitioner on the principles of parity.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

