

11.01.2023

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rejected

C.R.M. (NDPS) No. 29 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 56 of 2022 dated 14.01.2022 under Sections 21(c)/27A/29 of the NDPS Act and Sections 326/307/120B of the Indian Penal Code and added Section 302 of the Indian Penal Code and Sections 25(1)(a)/27/35 of the Arms Act.

And

In Re : Samirul Sk. @ Hasar petitioner

Mr. Amitava Karmakar
Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick
... for the State

Learned Counsel for the petitioner submits he is in custody for one year. It is also submitted that co-accuseds are on bail. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier inter alia holding he does not stand on the same footing with co-accuseds who are on bail. There is no change in the circumstances since then. Accordingly, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)