

24.01.2023  
Sl. No.33  
akd  
[Rejected]

**C. R. M. (DB) 276 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.01.2023 in connection with Andal Police Station Case No.233 of 2021 dated 02.09.2021 under Sections 395/397/412 of the Indian Penal Code and Sections 25(1B)(a)/35 of the Arms Act.

And

In Re: ***Azarul Sk.***

... .. Petitioner

Mr. Kallol Kumar Basu  
Md. Jannat-ul-Firdous  
Mr. Rajesh Naskar

... .. for the petitioner

Ms. Anasuya Sinha  
Mr. Pinak Kumar Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 393 days. Co-accuseds have been enlarged on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner was identified in course of Test Identification Parade. He does not stand on the same footing with co-accuseds who have been enlarged on bail. Under such circumstances and in view of 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.)**