

30.01.2023

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rejected

C.R.M. (DB) No. 344 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 784 of 2021 dated 05.10.2021 under Sections 395/412 of the Indian Penal Code.

And

In Re : Raju Biswas petitioner

Ms. Sananda Bhattacharyya
... for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Manoranjan Mahata
... for the State

Learned Counsel for the petitioner submits he is in custody for over 400 days. It is also submitted that co-accuseds are on bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner was identified in test identification parade.

We have considered the materials on record. Petitioner was identified in the course of test identification parade. He does not stand on the same footing with the co-accused who has been granted bail. On the other hand, bail prayer of the co-accused, similarly circumstanced with the petitioner, had been turned down in CRM (DB) 64 of 2023. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

