

21.03.2023
tkm/ct 28
sl no.63

C.R.M. (DB) 1024 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Daulatabad P.S case no. 169 of 2021 dated 12.10.2021 under sections 302/120B/34 IPC read with sections 25/27 of the Arms Act

And

In Re : Sadikul Sk @ Rintu Sk

..... petitioner

Mr. Sekhar Basu, Sr Adv.

Mr. A A Alamgir

Ms. R Khatoon

Ms. June Modak

..... for the petitioner

Ms. Z N Khan

Mr. Ashok Das

..... for the State

Petitioner is in custody for more than a year. It is contended co-accuseds are on bail/anticipatory bail. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the statement of witness recorded under section 164 Cr.P.C. Petitioner and one Julfikar (absconding accused) shot at the victim resulting in his death. Hence, petitioner is the principal offender and stands on a different footing from the co-accuseds who have been granted bail/anticipatory bail.

Keeping in mind the principal role played by the petitioner in the murder and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)