

28.03.2023

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rejected

C.R.M. (DB) No. 1151 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 424 of 2012 dated 17.11.2012 under Sections 326/307/34 of the Indian Penal Code and 9b(ii) of the I.E. Act added Sections 25/27 of the Arms Act and Section 302 of the Indian Penal Code.

And

In Re : Sanjoy Das @ Sailo @ Sailya @ Sohel Mallick petitioner

Sk. Hasan Salahuddin Ahmed
Ms. Mousumi Parvin
Ms. Reshmi Rehman

... for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick

... for the State

Learned Counsel for the petitioner submits there is no material connecting him with the murder. Co-accuseds are on bail. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail and submits petitioner had absconded for over a decade. He has criminal antecedents. In view of the aforesaid he cannot claim parity with co-accuseds who are on bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected on merits in December, 2022. He had absconded for over a decade. He has criminal antecedents. In the light of the petitioner's conduct and his

criminal antecedents we do not consider it prudent to enlarge him on bail.

Accordingly, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Learned Magistrate is directed to commit the case to the Court of Sessions at the earliest.

Parties shall communicate copy of the order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)