

26.04.2023  
tkm/ct 28  
sl no. 58

**C.R.M. 2830 of 2017**

In Re : An application for cancellation of bail under section 439 (2) of the  
Code of Criminal Procedure

And

In Re : The State of West Bengal ..... petitioner

Order granting bail to opposite party no. 2 has been assailed.  
Learned judge considered the case diary and the fact that co-  
accused were on bail.

It is contended co-accused does not stand on the same  
footing with opposite party no. 2.

Apart from the said circumstance court below had considered  
the case diary and other materials on record vis a vis the opposite  
party no. 2. Six years have lapsed since then. Hence, we find no  
reason to interfere with the order granting bail.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**