

20.04.2023  
Sl. No.47  
**akd**  
[Rejected]

**C. R. M. (DB) 1596 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2023 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 read with Sections 25(1B)(a)/35 of the Arms Act. (G.R. Case No.1798 of 2021)

And

In Re: **Arshad Ali @ Sonu**

... .. Petitioner

Mr. Palash Ch. Majhi

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Arabinda Manna

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Petitioner has been identified in course of Test Identification parade. In view of the aforesaid incriminating materials and as co-accused who are on bail had not been put up for Test Identification parade and meager amount was recovered from them, petitioner cannot claim parity. 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.)**