

18.07.2023.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2842 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kolkata Leather Complex P. S. Case No.37 of 2018 dated 11.03.2018 under Sections 147/148/149/302/120B of the Indian Penal Code.

In the matter of : Sambhu Mondal @ Faring.
... Petitioner.

Mr. Gouranga Kr. Das.
...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.
Ms. Trina Mitra.
...for the State.

Petitioner is in custody for over 100 days. He submits he was suffering from ailments. Co-accused have been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner had absconded and co-accused have been enlarged on bail after a protracted period of time.

We have considered the materials on record. Petitioner had absconded for more than five years. Though he claims he was ill, he cannot claim parity with other co-accused who are on bail as they had suffered detention for a much longer period of time.

Under such circumstances and in view of the nature of offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

