

05.09.2023

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rejected

C.R.M.(DB) No. 3468 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul Police Station Case No. 151 of 2022 dated 08.04.2022 under Sections 448/323/325/326/302/34 of the Indian Penal Code.

And

In Re : Uday Pramanik & Ors. petitioners

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee

Mr. Sourav Mondal

....for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

1. Learned Counsel for the petitioners submits they are in custody for one and half years. They renew their prayer for bail. It is also contended that co-accused are on bail.

2. Learned Counsel for the State opposes the prayer for bail and submits trial has commenced.

3. We have considered the materials on record. Statements of witnesses have implicated the petitioners in the assault of the victim resulting in his death. Trial has already commenced. Co-accused who have been released on bail are women folk and petitioner cannot claim parity with them. Under such circumstances we are not inclined to grant bail to the petitioners.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)