

05.10.2023.
45.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3841 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Thanapara P. S. Case No.203 of 2021 dated 22.11.2021 under Sections 148/149/323/302/504/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3/4 of the E. S. Act.

In the matter of : **Sabir Hossain Sk. @ Sabir Sk.**
... Petitioner.

Mr. Ayan Basu,
Mr. Asraf Mondal,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.

...for the State.

1. Learned Advocate for the petitioner submits co-accused have been granted bail after bail prayer of petitioner was rejected. They are similarly placed with the petitioner. He renews his prayer for bail.

2. Learned Advocate for the State opposes the prayer for bail. He submits petitioner had motive to commit the crime and does not stand on the same footing with the said co-accused.

3. We have considered the materials on record. Petitioner had motive to commit the crime. Accordingly, his bail prayer was rejected though that of co-accessed had been allowed.

4. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)