

C.R.M. (DB) No. 4221 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Khargram** P.S. Case No. **301 of 2018** dated **20/11/2018** under Sections **341/323/325/326/307/34/302** of the Indian Penal Code.

And

In the matter of: - Bodrul Islam @ Badrul Alam

....petitioner.

Mr. Kallol Kumar Basu,
Md. Jannat Ul Firdous,
Mr. Rajesh Naskar

...for the petitioner.

Mr. Prosenjit Mukherjee,
Mr. Saptrarshi Chakraborty

....for the de facto complainant.

Mr. Swapan Banerjee,
Mr. Suman De

...for the State.

1. Learned counsel for the petitioner contends that co-accused persons standing on similar footing as the petitioner have been enlarged on bail and as such he renews his prayer for bail.
2. Learned counsel for the de facto complainant vehemently opposes the prayer for bail.
3. Learned counsel for the State hands over a copy of the order dated August 28, 2023 from which it is seen that the petitioner's similar application for bail was rejected on the said date by a coordinate Bench. That apart, the allegations against the petitioner are grave in nature.
4. Upon considering the materials, we are convinced that even on the date when the petitioner's application for bail was refused i.e. on August 28, 2023, the fact remained that other co-accused persons had been enlarged on bail, which was

considered by the coordinate Bench while refusing the bail of the petitioner on several cogent grounds. We are of the opinion that nothing has happened subsequently to alter such view of the coordinate Bench.

5. Accordingly, CRM (DB) No. 4221 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Partha Sarathi Chatterjee, J.)