

02.01.2023

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rejected

C.R.M. (DB) No. 4524 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narkeldanga Police Station Case No. 126 of 2022 dated 07.04.2022 under Sections 302/201/34 of the Indian Penal Code.

And

In Re : Dipak Roy petitioner

Mr. Raja Satyajit Banerjee
Ms. Krishnika Chatterjee

.... for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Subrato Roy

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 270 days. It is also submitted that co-accuseds viz. Mehilal Chowdhury @ Mehrilal Chowdhury and Vijay Lal @ Vijay Kumar @ Vijay Kumar Lal are on bail. Petitioner prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner had assaulted the deceased. He does not stand on the same footing with co-accuseds viz. Mehilal Chowdhury @ Mehrilal Chowdhury and Vijay Lal @ Vijay Kumar @ Vijay Kumar Lal who have been enlarged on bail. In view of gravity of the offence and the principal role played by the petitioner in the murder of the victim, 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.)