

24.01.2024.
41.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 207 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pukhuria P.S. Case No.427 of 2022 dated 04.10.2022 under Sections 448/323/325/307/34 of the Indian Penal Code with adding Section 302 of the Indian Penal Code and charge sheet submitted under Sections 448/323/302/34 of the Indian Penal Code.

In the matter of : **Kalu Mahaldar @ Kalua.**

... Petitioner.

Mr. Musharraf Alam Sk,
Mr. Sujoy Sarkar,
Ms. Susmita Ghorai,
Ms. Anyana Mehebub.

...for the Petitioner.

Mr. Binay Panda,
Mr. Subham Bhakat.

...for the State.

1. Petitioner contends he is in custody for over one year. Co-accused have been enlarged on bail. He renews his bail prayer.

2. Learned Advocate for the State opposes the bail prayer. He contends petitioner is the principal accused.

3. We have considered the materials on record. Petitioner is the principal accused. Offence, if proved, would attract mandatory life imprisonment. He does not stand on the same footing with co-accused who have been enlarged on bail.

4. Hence, we are not inclined to grant bail to the petitioner.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)