

30.01.2024
tkm/ct 28
sl no. 41

C.R.M. (DB) 265 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Duttapukur P.S. Case No. 135 of 2021 dated 3.3.2021 under sections 302/34 IPC
And

In Re : Sadhan Das & Anr. petitioners

Mr. A K Chowdhury
Ms. O Chowdhury

..... for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Sujoy Sarkar

..... for the State

1. Petitioners contend they are in custody for about three years.
Co-accused Panchu Gopal Dey is on bail. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer. Petitioners had assaulted the victim with bamboo sticks. Petitioner no. 1 had assaulted him on the head. Keeping in mind the nature of assault given by the petitioners on a minor child which resulted in the later's death we are of the opinion they do not stand on the same footing with co-accused Panchu Gopal Dey who is on bail.
3. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.
4. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)