

13.02.2024

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rejected

C.R.M.(DB) No. 425 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Eco Park Police Station Case No. 21 of 2021 dated 04.02.2021 under Sections 448/506/342/302/34 of the Indian Penal Code.

And

In Re : Mangol Ghosh alias Mongol Ghosh alias Mangal Ghosh Petitioner

Mr. Susnigdho Bhattacharyya
Mr. Santi Ranjan Sarkar
Mr. Subrata Halder
Ms. Bidisha Chakraborty
....for the petitioner

Mrs. Zareen N. Khan
Mr. Nirupam Dhali
..... for the State

1. Learned Counsel for the petitioner submits he is in custody for three years. It is also submitted co-accused Dilip Ghosh has been enlarged on bail. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner is the principal offender. He had dealt the fatal blow on the victim.

3. We have considered the materials on record. Petitioner had dealt the fatal blow on the victim. He is the principal offender. He does not stand on the same footing with co-accused, Dilip Ghosh who has enlarged on bail. Under such circumstances we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)