

13.02.2024
tkm/ct 28
sl no. 55

C.R.M. (DB) 437 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Habibpur P.S. Case No. 147 of 2022 dated 5.5.2022 under sections 448/506/323/325/395 IPC

And

In Re : Kuran Ghosh

..... petitioner

Mr. A Karmakar

Mr. A K Bhowmick

..... for the petitioner

Ms. Debjani Sahu

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Bail prayer of the petitioner was rejected in October 2023. He was identified by the witnesses in the course of test identification parade which was held immediately after his apprehension. He cannot claim parity with the co-accused (who is on bail) whose identification was six months after the incident.
3. Under such circumstances we are not inclined to grant bail to the petitioner at this stage.
4. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)