

03.04.2024

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rejected

C.R.M.(DB) No. 924 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Noapara Police Station Case No. 193 of 2023 dated 03.08.2023 under Sections 326/307/201/120B/34 of the Indian Penal Code and Sections 25(1-B)(a)/27/35 of the Arms Act.

And

In Re : Lab Karmakar @ Lob Karmakar petitioner

Ms. Nasra Ali Rahman

....for the petitioner

Mr. Soumik Ganguli

Ms. Pallavi Priyadarshee

... for the State

1. Learned Counsel for the petitioner submits co-accused are on bail/anticipatory bail. He prays for bail.

2. Learned Counsel for the State submits report. Let the report be kept on record. It is contended by the learned Counsel for the State that petitioner had fired at the victim. He does not stand on the same footing with the said co-accused.

3. We have considered the materials on record. Petitioner had fired at the victim resulting in his death. He does not stand on the same footing with the co-accused who has been granted bail/anticipatory bail. In view of the primary role played by the petitioner in the crime, we are not inclined to grant bail to him.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)