

66.
Court
No.28

26.07.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2088 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Murshidabad P.S. Case No. 67/2023 dated 25.01.2023.
And

In the matter of: - **Hasimuddin Sk @ Mandal @ Hasimuddin Mandal & Anr.**

...petitioners.

Mr. Tapodip Gupta, Adv.

...for the petitioners.

Mr. Subhomay Bhattacharya, Adv.,
Mr. Akash Ganguly, Adv.

...for the State.

Mr. Habibur Rahaman, Adv.,
Mr. Sumit Naskar, Adv.

... for the *de facto* complainant.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioners submits that the petitioners are languishing in judicial custody for about 114 days. The other accused persons, standing on the same footing, have been enlarged on bail by this Court. They claim parity.
2. Learned Counsel appearing for the State, has opposed the bail prayer. He draws attention of this Court to the material available in the case diary. According to him, there are sufficient incriminating materials against the present petitioners.
3. We have gone through the material in the case diary and have found that the names of the present petitioners transpire in the case diary as conspirators, which puts the

present petitioners on different footing than the other accused persons who were granted bail by this Court on earlier occasion.

4. Considering all aspects of the matter, we are not inclined to allow the petitioners' prayer for bail. The prayer for bail is rejected.

5. The application being CRM (DB) 2088 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)