

CRM (DB) 2276 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dholahat Police Station** Case No. **106 of 2023** dated **09.03.2023** under Sections **341/447/325/326/307/302/506/34** of Indian Penal Code.

- A n d -

In the matter of : Badal Naskar

.... Petitioner.

Mr. Partha Sarathi Mondal,
Mr. A. Das,

... For the Petitioner.

Mr. A. Saha, Ld. APP,
Mr. S. Talukdar,

... For the State.

1. Petitioner is in custody for 511 days. He submits co-accused are on bail. There is no possibility of trial concluding in the near future. He prays for bail.
2. Learned lawyer opposes the bail prayer.
3. We have considered the materials on record. Statements of eye-witnesses shows the petitioner with one Tarun Naskar and Mithun Naskar assaulted Bimalendu on the head resulting in his death. Petitioner is one of the principal assailants and does not stand on the same footing with the co-accused who have been enlarged on bail.
4. Under such circumstances, we are not inclined to enlarge the petitioner on bail at this stage.
5. CRM (DB) 2276 of 2024 is, thus, dismissed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)