

Special Case No.119/2022
Present : Shri P C Karmakar [J.O. No. WB00651],
Judge, Special Court,
Alipurduar.

Order dt. 04.10.2024

Hazira is filed on behalf of custody accused Jakir Hossain.

Ld P P in-charge also files hazira.

Accused Jakir HOssain is produced from JC and remanded till next date.

Bail petition dated 01.10.2024 filed on behalf of accused Jakir Hossain is taken up for hearing.

Copy served.

During hearing Ld defence Lawyer submits that the accused is in custody since 12.11.2022. He further submits that the accused has been falsely implicated in this case. 17 witnesses have been examined in this case. Relying on the decision dt. 13.09.2024 of the Hon'ble Supreme Court in the case of Arvind Kejriwal..Vs..CBI, reported in 2024 INSC 687, he prays for bail of accused on the ground of long detention.

Ld Special P P raises strong objection against the bail prayer of the accused having sufficient incriminating materials against this accused in the evidence of prosecution witnesses. Ld Special P P relies on the decision dated 14.08.2023 of the Delhi High Court in the case of Ranjeet Kumar Yadav..Vs...State of NCT of Delhi and submits that this is a fit case for custody trial.

I have perused all the materials on record including the evidence of 17 prosecution witnesses and the decisions relied upon by the both sides and heard the submission of Ld Lawyers for both sides. Considering the gravity of the offence alleged, evidence already on record and special facts and circumstances of this case, the prayer for bail of the accused stands rejected at this stage.

*To-date (**21.11.2024 & 22.11.2024**) for production & evidence.*

*Dictated & corrected
by me ;*

*Judge, Special Court,
Alipurduar.*

*Judge, Special Court,
Alipurduar.*