

C Special case No.50/2020

11/18.12.2020

Today is fixed for production of Babu Sk and ER of W/A in respect of **Jamal Sk.**

Ld. Advocate for the accused/petitioner and Ld. Special PP on behalf of the State are present.

Bail petition filed on behalf of the accused Babu Sk is taken up for hearing and order.

Heard the Ld. Advocates. Considered.

Ld. Advocate for the defence submitted that though the bail application on the selfsame ground has been turned down by this forum on the last occasion i.e. on 19.10.2020 but long detention of the accused gives ample ground for the defence to agitate prayer for bail.

Heard Ld counsel for the prosecution who opposed the prayer for bail.

Since it is a trite position of law as decided by the Hon'ble Apex Court in Rajesh Ranjan Yadav @ Pappu Yadav Case it is reported in (2007)1 SCC 70 that long period of incarceration by itself would not entitle and under trial to bail and since there has not been any change of circumstances than that was arrived on the last occasion to warrant different conclusion, I am not inclined to enlarge the accused on bail.

The prayer for bail stands rejected.

To 20.01.2021 for ER of W/A and appearance .

Dictd. & Cortd. by me.

Judge, Special Court,
Lalbagh, Msd.

Judge, Special Court,
Lalbagh, Murshidabad