18.01.2021
Item No.37
Ct.No.28
Subha
rejected

C.R.M. 8226 of 2020

(Via Video Conference)

Ebadat Khan @ Md. Ibadat Khan @ Ibadat Kha
-versus-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Nowda P.S. Case No.07 of 2019 dated 08-01-2019 under Sections 341/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and also added Section 302 of the Indian Penal Code(G. R. Case No. 110 of 2019).

Mr. Niladri Sekhar Ghosh
Mr. Tapadip Gupta
... For the Petitioner.

Mr. Madhu Sudan Sur
Mr. Manaranjan Mahata ... For the State.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 655 days and there has been no progress in the case, although the petitioner is placed on a better footing than the other accused persons who have been granted bail. The petitioner is unnecessary languishing in the custody.

Mr. Sur, learned advocate for the State draws the attention of this Court to the earlier orders so passed by this

Court wherein it has been observed that the petitioner happens to be the mastermind in the commission of the alleged offence.

Learned advocate for the State also submits that there are antecedents of the present petitioner.

We have taken into account the materials appearing against the present petitioner and the order dated 17th June, 2020 passed in CRM 3758 of 2020 by a co-ordinate Bench of this Court.

Having regard to the stage of the case, we find that there is no change of circumstances since the order was passed by a co-ordinate Bench on 17th June, 2020 in CRM 3758 of 2020.

As such, the prayer for bail of the petitioner is rejected at this stage.

Accordingly, the application for bail being CRM 8226 2020 along with connected application, if any, is, accordingly, disposed of.

(Tirthankar Ghosh, J.) **(Tapabrata Chakraborty, J.)**