
(2020) 08 JH CK 0288
In the Jharkhand High Court
Case No : Bail Application No. 4056 of 2020

Nasim Akhtar @ Raju

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 28-08-2020

Acts Referred:

Unlawful Activities (Prevention) Act, 1967 — Section 16, 17, 18, 18(B), 19, 20, 21, 23
Indian Penal Code, 1860 — Section 34, 120(B), 121, 121(A), 124(A)

Citation : (2020) 08 JH CK 0288

Hon'ble Judges : Rajesh Shankar, J

Bench : Single Bench

Advocate : A. K. Chaturvedy, H. P. Singh

Final Decision : Dismissed

Judgement

The petitioner is an accused in a case registered for the offence

punishable under Sections 124(A)/121/121(A)/120(B)/34 IPC, Sections 25(1-B)a/26/35/25(1-A) of the Arms Act, Section 17 of the Criminal Law amendment Act and Sections 16/17/18/18(B)/19/20/21/23 of the Unlawful Activities (Prevention) Act.

Learned counsel for the petitioner submits that the petitioner's prayers for bail were earlier rejected four times by this Court. By way of present bail application, the petitioner has renewed his prayer for bail primarily for the reason that though out of 12 charge sheet witnesses, 11 witnesses have already been examined, however, the trial is lingering due to non-examination of the I.O of the case. At least considering the fact that the petitioner is in judicial custody in connection with the present case since 25.01.2016, he may be given the privilege of regular bail.

Learned A.P.P while opposing the petitioner's prayer for bail, submits that the allegation against the petitioner is serious in nature as he is alleged to be involved in the terrorist activities. The petitioner's prayers for bail were earlier

rejected four times by this Court on merit. Except the length of judicial custody, the petitioner has not made out any fresh ground for reconsideration of his prayer for bail. Though the trial of the case is at an advanced stage, yet due to the present situation arising out of Corona Virus (Covid-19) pandemic, further trial has been temporarily held up. As soon as the situation normalises and the trial resumes, the same will be concluded without any undue delay. If the petitioner is given the privilege of regular bail at this stage, there is every possibility that he may not appear in the trial. Hence, the petitioner may not be given the privilege of regular bail.

Considering the facts and circumstances of the case, I am not inclined to reconsider the petitioner's prayer for bail in connection with S.T. No. 308/2016.

Accordingly, the prayer for bail of the above named petitioner is rejected.