

Nasim Akhtar @ Raju vs The State Of Jharkhand Opposite ... on 28 August, 2020

Author: Rajesh Shankar

Bench: Rajesh Shankar

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 4056 of 2020
Nasim Akhtar @ Raju Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. A. K. Chaturvedy
For the State: Mr. H. P. Singh, A.P.P

02/28.08.2020

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.

Satish/-

(RAJESH SHANKAR, J)