

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

Cr1A(D) No. 75/2025

Date of pronouncement: 18.05.2026.

Date of uploading: 19.05.2026.

**Bilal Ahmad Dar, Aged 44
S/O: Gh. Mohi-ud-din Dar,
R/O: Hardushiva, Sopore.**

...Appellant(s)

Through: Mr. Rafiq Ahmad Bhat, Advocate

Vs.

**Union Territory of J&K Through PS
Uri District Baramulla.**

...Respondent(s)

**Through: Ms. Maha Majeed, Assisting Counsel vice
Mr. Mohsin Qadri, Sr. AAG**

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE. (Through V.C)
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE.**

ORDER

18.05.2026

01. The appellant, Bilal Ahmad Dar, an undertrial in FIR No. 104/2023 registered under Section 7/25 of the Arms Act, Section 120-B IPC, and Sections 13, 18, 18-B, 20, 23, and 40 of the ULA(P) Act, had sought bail on medical grounds, which came to be declined by the Court of the Special Judge designated under the NIA Act (UAPA Cases), Baramulla, Sopore. The trial Court observed that the appellant's medical condition was stable, as reflected in the reports furnished by the jail authorities, and that further investigations were required, which the authorities had undertaken to conduct in due course. Nevertheless, while rejecting

the prayer for bail, the trial Court directed the Superintendent of the concerned Jail to ensure that the appellant was taken under proper escort for all advised medical investigations and further permitted the appellant's family members to accompany him during medical visits, subject to hospital protocol and security arrangements. The appellant challenged the said order on the ground that the trial Court had failed to properly appreciate his medical condition and had passed a cryptic and unsustainable order.

02. Pursuant to the order dated 17.12.2025 passed by this Court, the respondents were directed to have the appellant examined by a Board of Doctors at Government Medical College, Jammu, to assess his medical status and determine whether, considering the nature of his ailment, he could safely remain in custody. In compliance thereof, the respondents placed on record the report of the Medical Board, which revealed that the appellant had been referred to the Super Specialty Hospital, Jammu, for Neurology and Endocrinology consultations. The consultations were conducted on 24.01.2026, during which a Nerve Conduction Study was undertaken and necessary medicines were prescribed. Subsequently, on 12.02.2026, the appellant was again referred to the Neurology Department, where another Nerve Conduction Study was advised. Learned counsel for the respondents submitted that the appellant was suffering from an old left-sided bodily injury involving dislocation of the left shoulder, allegedly

sustained in the year 2019 due to electrocution, and that all necessary treatment and medical care were being provided to him. It was further submitted that the Medical Board had not recommended any surgery or urgent medical intervention and, therefore, no case for grant of bail on medical grounds was made out. Learned counsel also emphasized the seriousness and gravity of the charges against the appellant.

03. *Per contra*, learned counsel for the appellant contended that the appellant was suffering from a muscular disorder, which stood corroborated by the medical reports, and accordingly sought his release on short-term bail to enable him to avail proper treatment.

04. Upon hearing learned counsel for the parties and perusing the record, it becomes evident that the appellant has been receiving regular medical attention and treatment while in custody. The medical reports indicate that the appellant suffers from an old muscular disorder resulting in weakness on the left side of his body, particularly due to a shoulder dislocation sustained in 2019 following electrocution. However, the reports do not suggest the requirement of any surgical intervention, and all necessary investigations have already been conducted. The appellant has not only been examined by the Department of Neurology but also by the Medical Board and has been identified as a known case of Type-II Diabetes Mellitus and Hypertension, for which treatment has continuously been provided. In these

circumstances, this Court finds no material to indicate that the appellant is suffering from any life-threatening ailment warranting his release on bail. Significantly, the appellant has not pressed his claim for bail on merits and has confined his prayer solely to medical grounds. In view of the available medical record and the continued medical care being extended to him, no exceptional circumstance is made out for interference with the order passed by the trial Court. Accordingly, the appeal is found to be devoid of merit and is dismissed, with liberty reserved to the appellant to seek bail on merits, if so, advised afresh before the trial court.

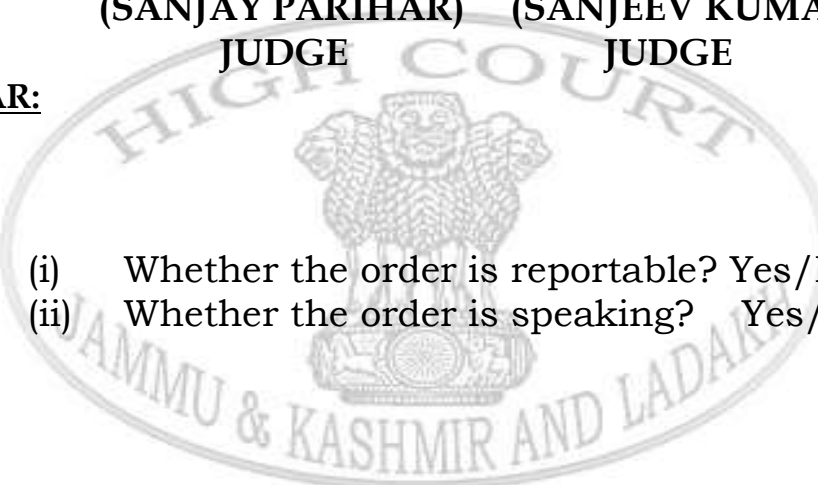
05. Disposed of as such.

(SANJAY PARIHAR) (SANJEEV KUMAR)
JUDGE JUDGE

SRINAGAR:

18.05.2026

"Mir Arif"

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- (i) Whether the order is reportable? Yes/No.
(ii) Whether the order is speaking? Yes/No.