

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 457 of 2018

Dheeraj Sao **Versus** State Of Chhattisgarh

CRA/823/2018

29/11/2018	Mr. Amit Singh and Mr. Pragallbha Sharma, Advocates for the respective appellants. Mr. Anil Pillai, Dy. A.G. for the State. Heard on prayer for suspension of sentence and grant of bail. These two appeals have been filed by the appellants who are facing trial for alleged commission of offence. Sukhen Haldhar stated to be in jail since 27.07.2017 whereas Dheeraj Sao has been arrested belatedly on 25.12.2013. Learned counsel for the appellants submit that the appellants have been roped in for the alleged commission of offence of receiving money from other country and onwards distribution of the same to facilitate various activities carried out in the country by banned organization. According to learned counsel for the appellants, the allegations are false and so far as the evidence which has come, does not bring about any clinching evidence that the money which was deposited in the account of the appellants was sent by any person or agency involved in terrorist activities, in connection with the terrorism. They would submit that as the appellants have remained in jail for the last almost 5 years and trial has not been concluded, till date, at this stage, they may be granted bail. On the other hand, learned State counsel submits that trial is almost complete and in respect of these two appeals, only Investigating Officer remains to be examined. He would further argue that the allegations are serious that the appellants are involved in receiving money from abroad to facilitate financial support to the terrorist activity in the country through banned organization.

Having considered the submission of learned counsel for the parties, we find that the allegations against the appellants are serious and relate to their involvement in terrorist activity. We further find that though the Dheeraj Sao has remained in jail for long time, the trial is at fag end as only Investigating Officer remains to be examined. Therefore, at this stage, we are not inclined to interfere with the order rejecting application of the respective appellants. However, we would observe that the trial Court shall conclude the trial expeditiously and the Investigating Officer will be examined without granting any adjournment to any of the parties. In case, trial is not concluded within a period of three months, the appellants may revive their application for grant of bail before the concerned trial Court only on the ground of delay in conclusion of trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge