

14.07.2021

Court No.28
Item No.19
(Dismissed)

Akd
&
Ab

CRM 2459 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with STF Police Station Case No. 01 of 2018, dated 02.02.2018 under Sections 124A of the Indian Penal Code and Sections 4/5/6 of the Explosive Substances Act;

And

In the matter of : **Abdul Majed**

...Petitioner

Mr. Ariff Rahman,
Mr. Tarique Quasimuddin.

...For the Petitioner

Mr. N. Ahmed,
Mr. Anwar Hossain,
Ms. Amita Gaur.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with STF Police Station Case No. 01 of 2018 under Sections 124A of the Indian Penal Code and Sections 4/5/6 of the Explosive Substances Act.

According to the learned Advocate for the petitioner, the petitioner has been implicated solely on the basis of the statement of the other accused, although neither any incriminating material is found against him, nor any linkage could be established for commission of offence under Section 124A of the Indian Penal Code and Section 4/5/6 of the Explosive Substances Act. It is further submitted that the charge sheet has already been submitted and, therefore, no further detention is required.

On the other hand, the learned Advocate for the State submits that initially a case was initiated under the aforesaid provisions but after the submission of charge sheet, supplementary charge sheet has also been filed incorporating various Sections of the Unlawful Activities (Prevention) Act, 1967.

According to the State the petitioner belongs to a banned terrorist organization and intended to wage war against the

Government of India and actively involved in recruiting various persons and lending financial support.

After hearing the respective submissions and upon perusal of the materials on record, more particularly the supplementary charge sheet submitted before the Trial Court, we do not think that it is a fit case where the petitioner should be enlarged on bail.

Accordingly the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 2459 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Subhasis Dasgupta, J.)