

News

Tahir Hussain, Salim Malik, and Athar Khan are denied bail in the Delhi riots conspiracy case.



According to ASJ Sameer Bajpai, the three defendants were previously denied bail based on a prima facie evidence, and no alternative conclusion can be formed.

In the Delhi riots plot case, former Aam Aadmi Party (AAP) councillor Tahir Hussain was denied bail by a Delhi court.

Co-accused Salim Malik and Athar Khan's bail requests were also denied by Karkardooma

Courts Additional Sessions Judge Sameer Bajpai.

The Court stated in its order dated January 28 that although the Supreme Court had granted bail to five accused on January 5—Shifa-ur-Rehman, Gulfisha Fatima, Salim Khan, Meeran Haider, and Shadab Ahmed—the trial court had previously denied bail to Hussain, Khan, and Malik based on the merits of their case.

Judge Bajpai stated in Hussain's case that the court cannot form a contrary conclusion once it has established a prima facie opinion that the case is made out against him.

"Now, when this Court has once formed the opinion that prima facie case is made out against the applicant, no other different opinion can be formed now by reviewing the earlier order, despite the order of the Hon'ble Supreme Court regarding the co-accused persons," the order said.

Hussain, Khan, Maik, and a number of others have been charged by the Delhi Police with participating in terrorist activities and plotting acts of violence during the 2020 Delhi riots.

In this instance, the prosecution has used the Unlawful Activities Prevention Act (UAPA).

The accused in the case were granted bail earlier this month by the Supreme Court. However, it decided that a prima facie case had been made against Umar Khalid and Sharjeel Imam and refused them bail.