

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3451
ANSWERED ON:11.08.2015
Bail to Samjhauta Express Blast Accused
Owaisi Shri Asaduddin

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Punjab and Haryana High Court has granted bail to key accused in the Samjhauta Express blast case in August, last year;
- (b) if so, whether NIA is yet to get a certified written copy of the order almost six months after it was pronounced;
- (c) whether in absence of certified copy NIA cannot seek permission for challenging it in the Supreme Court;
- (d) if so, the reasons therefor;
- (e) whether the Government has denied NIA the permission to challenge the bail order in Mecca Masjid blast case of May, 2007;
- (f) if so, the reasons for denying permission to challenge the bail; and
- (g) the steps taken or being taken by the Government to give permission to NIA to bring the culprit to justice?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (d): The Punjab and Haryana High Court passed an order granting conditional bail to Naba Kumar Sarkar @ Swami Aseemanand on 28.08.2014 in the Samjhauta Express Blast Case. However, the certified copy of the said order was issued by the court only on 01.05.2015. The

-2-

L.S.US.Q.NO.3451 FOR 11.08.2015

NIA examined the feasibility of filing a SLP and decided that there were no grounds to challenge the Order in the Supreme Court. However, Naba Kumar Sarkar @ Swami Aseemanand continues to remain in jail since he did not comply with the conditions of bail specified in order dated 28.08.2014.

(e) to (g): Yes, Madam. The Government did not find it fit to challenge the order dated 21.03.2014, whereby bail was granted to the two accused in Mecca Masjid Blast case of May 2007 viz Devender Gupta and Lokesh Sharma, on grounds of parity since the order dated 03.06.2012 and 27.06.2013 whereby bail was granted to Bharat Mohan Lal @ Bharat Bhai and Tejaram Parmar had not been challenged by the prosecution. However, both the accused continue to be in jail as they are also accused in other cases wherein they have been denied bail.
