

Indian Judicial data hides more than it reveals in bail cases

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Context:-The quantity of bail appeals filed in India's "high court dashboard," which was created by Daksh, a think-tank focused on legal reform.

Key points:-

- Before 2020, there were roughly 3.2 to 3.5 lakh bail appeals annually; from 4 to 4.3 lakh after that.
- As a result, there are now between 1.25 lakh and 1.3 lakh pending bail appeals in high courts, up from between 50,000 and 65,000 in the past.
- The high rise of cases involving infractions of lockdown guidelines relating to COVID-19 during the pandemic may be a possible reason.
- In addition, as the courts' ability to function had been affected at the time, pending bail cases accumulated.

Briefly discussion on the article

- According to the DAKSH "High Court dashboard," it was impossible to determine the Act under which the individual seeking bail was imprisoned in 77% of ordinary bail proceedings.
- The e-courts data of several High Courts did not contain any reference of it. The Epidemic Diseases Act, 1897, was placed fourth in an examination of 23% of instances in which the Act was referenced, suggesting that a rise in cases under this Act may be

the cause of increased bail appeals.

- Bail appeals made up more than 30% of the entire case in five High Courts, including those in Patna, Jharkhand, Odisha, Madhya Pradesh, and Chhattisgarh.
- In total, 9,27,896 bail cases filed between 2010 and 2021 were examined by DAKSH throughout all High Courts
- Overall, the 15 High Courts examined had 81 case types related to bail.
- The research also shows that for normal bail applications, the median number of days from the filing date to the decision date was 23.
- The median time it took to resolve normal bail cases was 156 days in the Jammu & Kashmir High Court, 61 days in the Orissa High Court, and 56 days in the Bombay High Court.
- “Delays in resolution have the same effect as denying bail as the accused remains in prison for the duration of their trial,” the DAKSH database argues.
- For instance, in the Bombay High Court, almost 95% of appeals’ bail decisions were unknown.

Conclusion:-

In many instances, information regarding the results of bail appeals in High Courts was also lacking. The conclusion of the bail appeal, whether it was accepted or rejected, was either ambiguous or missing in over 80% of the disposed bail cases in all High Courts.