

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

Bail Appl..No. 4049 of 2015 ()

CRIME NO. 970/2014 OF KEEZHVAIPUR POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED NO.2 :

**MUHAMMED MAKBUL MIYA, AGED 33 YEARS,
S/O.TADIRUDDIN MIYA, HADA DESAR BADI
HAITH BIGHAN TADARDAR BADI, PARANPURRATHVA P.S.
MALDA DISTRICT, W.BENGAL.**

**BY ADVS.SRI.K.A.RIYAS
SRI.V.J.JAMES**

COUNTER PETITIONERS/RESPONDENTS :

**THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K.ABRAHAM MATHEW, J.

B.A.No. 4049 of 2015

Dated this the 13th day of July, 2015

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 120(b),457,461,380,411 r/w Section 34 of IPC.

3. The prosecution case is that pursuant to the conspiracy entered into between the petitioner and the co-accused they committed theft of huge quantity of gold and silver jewellery and currency from a jewellery. Learned counsel submits that taking into consideration the period of custody the petitioners may be released on bail.

4. Heard.

5. Final report has already been filed. The bail application filed by the petitioner under Section 439 Cr.P.C was dismissed a few weeks ago; no development has taken place after the dismissal of the application. This application cannot be entertained in the absence of subsequent development.

In the result, this Bail Application is dismissed.

**K.ABRAHAM MATHEW
JUDGE**