

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.768 of 2016

ORDER

This criminal petition under Sections 437 and 439 of the Code of Criminal Procedure is filed by the petitioner-A.1 seeking to grant bail in S.C.No.446 of 2015 on the file of II Additional Metropolitan Sessions Judge, Hyderabad, in connection with Cr.No.302 of 2007 of Railway Police Station, Hyderabad, registered for the offences punishable under Sections 328 and 379 IPC.

2. Heard both sides and perused the material on record.
3. The case of the prosecution is that on 03.08.2007 at 9.00 PM., when the de facto complainant along with his father was traveling in Mumbai Express train, one person gave cream biscuits to them and they ate those biscuits and took water, thereafter, both of them fell into deep sleep and when he woke up, he found his bag was stolen and his father was unconscious. Hence, the complaint.
4. Learned Additional Public Prosecutor opposed the grant of bail stating that the petitioner/A1 is a resident of Calcutta and is involved in seven other cases, one of them was registered for an offence under Section 302 IPC pertaining to Cr.No.34 of 2014 and if he is released on bail, it would cause prejudice to the further trial of the case as the trial is in progress.
5. Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner/A1.
6. Hence, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this criminal petition shall stand dismissed.

RAJA ELANGO, J

1st February, 2016

sj