

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43414 of 2018

=====

1. Tuntun Mallick @ Tuntun Ram son of Vishwanath Mallick @ Viwhwanath Ram, Resident of Village- Bhagwanpur Bazar Adda, P.S.- Bhagwanpur, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-10-2018

Heard the parties.

This application is for grant of regular bail in connection with Barauni Rail P.S.Case No.26 of 2018 for the offences under Sections 414 and 401 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of committing theft in the running train and while he was fleeing away along with the others, they are arrested and from the petitioner, Rs.720 and the chain cutter were recovered. Apart from that he is accused in six other cases.

Submission of the learned counsel for the petitioner is that he is in custody for more than seven months and the recovered mobile is his own and he has been falsely implicated in this case and only on the basis of suspicion, he has been made



accused in this case and he has been remanded in other cases on the basis of confessional statement of the co-accused persons.

Heard learned A.P.P. who has opposed the prayer for bail..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of six months and if the trial is not concluded within six months and there is no laches on the part of the petitioner, he shall be released on bail in connection with Barauni Rail P.S.Case No.26 of 2018 to the satisfaction of the ACJM, Railway, Barauni, Begusarai.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

