

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9061 of 2021

Arising Out of PS. Case No.-251 Year-2019 Thana- SIWAN RAIL P.S. District- Saran

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BIMAL KUMAR @ BIMAL KUMAR VERMA, S/O LATE BIR
BAHADUR VERMA @ VIRBAHADUR, RESIDENT OF VILLAGE-
LAXMIPUR, P.S.- TOWN, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Adv.
For the Opposite Party/s : Mr.B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-03-2021 Heard both sides.

Petitioner seeks bail in Siwan Rail P.S. Case No.251
of 2019 registered under Sections 382 and 34 of the IPC.

Learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 26.08.2020. Two other accused persons, namely, Vishal
Kumar and Bikash Kumar have already been granted bail by
different benches of this Court. The petitioner is in custody for
last 15 months but from perusal of the record, it appears that the
petitioner and two others assaulted the grandson of the
informant in order to snatch his mobile and on account of which
he fell down from the running train. The victim identified the
petitioner and two others on the basis of photographs. The
offence is of very serious nature as the petitioner and two others
assaulted the grandson of the informant and pushed him outside



the running train only to snatch his mobile. The victim got grievous injury in his head on account of fall from the running train.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order even after separating the petitioner from two other accused persons, who are on bail and if they are not appearing.

The S.P. (Rail), Muzaffarpur is directed to ensure the presence of the prosecution witnesses in the court so that the trial must be concluded within four months.

If the trial is not concluded within four months, the petitioner, if so advised, may renew his prayer for bail.

Let a copy of this order be sent to the trial court as well as the S.P. (Rail), Muzaffarpur for information and needful.

(Prabhat Kumar Jha, J)

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