

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27667 of 2020

Arising Out of PS. Case No.-441 Year-2018 Thana- BARAUNI District- Begusarai

Chhotu Kumar S/o Vijay Singh Resident of Village-Bihat, Tola-Jalelpur, Ward No.18, P.S.-Barauni, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.N.Tanti,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Barauni (FCI OP) P.S.
Case No. 441 of 2018 registered for the offence under Section
392 of the Indian Penal Code.

As per prosecution case, on 07-08-018 at 11:30 PM,
while the informant was returning with his brother on
motorcycle and reached near Petrol pump Refinery road, 4-5
persons on two motorcycles intercepted and stopped him and
thereafter, on the point of pistol, looted his motorcycle as also
mobile phone and fled away.

It is submitted on behalf of petitioner that petitioner
has been implicated in this case only on suspicion, as the alleged
incident is said to have taken place in the night i.e. at 11:30 PM



and there is no source of identification. It is further submitted that no incriminating article has been recovered from the possession of the petitioner and petitioner is in custody since 10-04-2019.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that petitioner is named in the FIR of committing robbery and petitioner has also criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances as also the fact that petitioner is accused in eight more cases, I am not inclined to grant bail to the petitioner. Accordingly, the bail application stands dismissed.

(Prabhat Kumar Singh, J.)

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