

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32150 of 2020**

Arising Out of PS. Case No.-10 Year-2019 Thana- PIRO District- Bhojpur

CHHOTAN KUMAR @ CHHOTAK YADAV Son of Rampati Singh
Resident of Village - Baseyan, P.S.- Agaion Bazar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv
For the Opposite Party/s : Mr. J.K. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

3 11-01-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 27.02.2020 in connection with Piro P.S. Case No. 10 of 2019 for the alleged offences under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with looting away a tractor and dalla, a mobile phone and Rs. 700/- by four accused persons including the petitioner. It is submitted that the FIR is against unknown persons and except suspicion there is no objective material to connect the petitioner with the alleged occurrence. No test identification parade has been conducted to identify the petitioner nor any recovery has been made from the petitioner. Similarly situated co-accused Rakesh Kumar @ Chhotu has been granted bail by this Court in Cr. Misc. No. 76934 of 2019.



4. Learned APP appears and opposes the bail petition, inviting reference to para 35 of the case diary . The petitioner is said to be accused in five prior cases, one of them involving allegation under Section 302 IPC and Arms Act. The petitioner however has disclosed only three antecedents in para 3 of the petition, all of which are of similar nature as the present case.

5. Having regard to the nature of accusations and gravity of offence alleged as well non-disclosure of complete criminal antecedents of the petitioner, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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