

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56080 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- MANIYARI District- Muzaffarpur

Chhotan Kumar @ Chhotan Kumar Thakur @ Chhotu Thakur Son Of
Mahesh Thakur Resident Of Village - Harishankar Maniyari, P.S.- Maniyari,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 379, 411 of the Indian Penal Code and
Sections 8(c), 21(a) of the N.D.P.S. Act.

The prosecution case as per F.I.R is that the
auto-rickshaw of the informant was stolen at his door on
20.03.2022. The informant thereafter started search his
auto-rickshaw and during search, he came to know that
his auto-rickshaw is standing near Murgiya Chowk. The



informant reached there and found his auto-rickshaw standing there. On seeing the informant, two persons started fleeing away. One person was apprehended who disclosed his name as Chhotan Kumar @ Chhotan Kumar Thakur, the petitioner. From the possession of the petitioner, two knife, one iron boxer plate, the auto-rickshaw of the informant and 20 pouches of heroine like substances were recovered.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing was recovered from the conscious possession of the petitioner. The petitioner was passenger of the auto-rickshaw and due to dispute of fair of auto, the informant and his other associates assaulted the petitioner and thereafter handed over to the police. The petitioner is languishing in custody since 21.03.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of



the petitioner and submitted that petitioner was apprehended from the spot with stolen auto-rickshaw of the informant and from his possession, other articles including 20 pouches of heroine were recovered. The petitioner is accused in three other cases apart from the present one.

Considering the facts aforesaid, this Court is not inclined to grant bail to the petitioner for the present. The prayer for grant of bail to the petitioner stands rejected.

The trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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