

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50994 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- KURSAKANTA District- Araria

SANTOSH KUMAR MARIK, Male, aged about 22 years, S/o Ram Prasad Marik, Resident of Village- Kursakanta Ward No. 9, P.S.- Kursakanta, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Abhijeet Gautam, Advocate.

For the Opposite Party : Mr.Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 05.06.2019 in a case for the offence registered under Section 379 of the IPC.

The prosecution story, in brief, is that the informant is a Technician of Bharti Infratel Tower under Kursakanta Block. This petitioner Santosh Kumar Marik was found moving near the Tower for the last 2-3 days and on 03.06.2019, Battery from the Tower situated in the land of Ashok Ray was stolen away and on 04.06.2019 when the informant came there, he found the Battery missing from the Tower. The stolen Battery is of Amron Highy Company whose Serial No. was AAG56420131545 and



the informant has claimed that this petitioner has committed theft of the Battery from the Tower.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner had no knowledge that the Battery in question is a stolen property. He has been made accused in the present case due to mistake of fact.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th A.C.J.M.-V, Araria, in connection with Kursakanta P.S. Case No. 150 of 2019.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

