

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18224 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- FORBESGANJ District- Araria

Kamil Son of Tohak Resident of Village - Bethwa, Ward No. -13, P.S. - Araria
(Bairgachhi O.P.), Dist- Araria. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-09-2022 This matter has been taken-up through video
conference.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 379 of the
Indian Penal Code later on Section 411 was also added.

As per the prosecution, informant alleges that on
16.06.2021, total 13.2 km of 4.4 circuit length of electric wire
was stolen as well as 28 insulators of 13 K.B. pin were found
destroyed by unknown person due to which, cause loss of Rs.
9,97,634/- to the electric Department.

Learned counsel for the petitioner submits that the
petitioner is innocent and he is not named in the F.I.R. It is



further submitted that he has been made accused only on the basis of suspicion. No incriminating articles have been recovered from the conscious possession of the petitioner or from his house. During the course of investigation, on the basis of secret informer, the name of the petitioner has been surfaced in the present case and mere on suspicion the police arrested the petitioner and further electric wire was recovered from near canal. It is also submitted that there is no single witness come forward to claim himself as a witness of the alleged occurrence. The petitioner is in custody since 30.12.2021, charge-sheet has been submitted in the case and has antecedent of one case.

Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 448 of 2021.

(Khatim Reza, J)

Annpurna/-

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