

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.559 of 2015

Arising Out of PS.Case No. -131 Year- 2013 Thana -BUXAR MUFFSIL District- BUXAR

Sanjay Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s Mr. Mustaque Alam, APP

For Indian Oil Corporation Mr. Krishna Chandra

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 09.01.2015

Heard learned counsel for the petitioner as well as learned
counsel appearing for the Indian Oil Corporation.

Admittedly, petitioner is not named in the first information
report nor anything was recovered from his conscious possession and
having similar allegation some co-accused persons have already been
granted privilege of bail by different benches of this court.

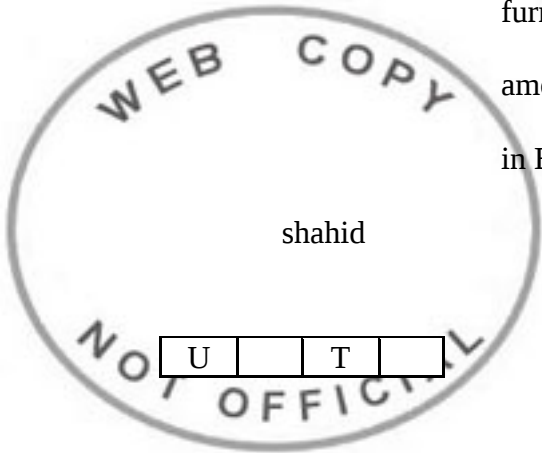
Learned counsel appearing for the Indian Oil Corporation
submits that section 16 C of the Petroleum and Minerals Pipelines
(Acquisition of Right of User in Land) Act, 1962 prohibits grant of
bail to accused unless the court is satisfied that there is reasonable
grounds that accused will not commit similar offence in future.

Learned counsel for the petitioner submits that section 16
C of the Petroleum and Minerals Pipelines (Acquisition of Right of
User in Land) Act, 1962 is not applicable in the present case because
even if the prosecution story assumed to be true, then also, alleged
offence comes under definition of section 15 (2) of the above stated
Act.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Buxar (Mufassil) P.S. Case no. 131/2013.

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(Hemant Kumar Srivastava,J)



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