

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22431 of 2016

Arising Out of PS.Case No. -12 Year- 2014 Thana -BAUSI District- PURNIA

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KUDDUS @ MD. QUDDUS S/o Late Zulfekar, Resident of Gahuman,
P.S.- Dagarwa, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Baisi P.S.
Case No. 12/2014, registered for the offences punishable under
Sections 379, 411, 414, 120B, 34 of the Indian Penal Code and 3/4
Damage of Property Act.

Allegedly, some culprits were found storing crude oil in
a tanker bearing registration no. NL02K/5664 owned by one
Govinda Hamdi by connecting a pipe with underground oil pipe
running from Assam to Barauni Refinery near village Bakharia,
P.S. Baisi, District Purnea and when the police party went there
the miscreants fled away leaving that tanker stored with huge
quantity of illegally extracted crude oil. During investigation the

name of the petitioner transpires in the confessional statement of co-accused Md. Muzahid.

Submission is of false implication and that due to election rivalry the petitioner has been implicated in this case. After 27 months of the alleged incident the name of the petitioner has been implicated on the basis of confessional statement of co-accused. The petitioner has got no concern with the said tanker or its owner, driver and cleaner. He has been implicated in one case more wherein he is on bail and as such petitioner deserves sympathetic consideration as he is in custody since 02.04.2016.

Learned A.P.P. submits that location of mobile of the petitioner was found at the place of occurrence also.

In the facts and circumstances stated above and considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above-named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 12/2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the

petitioner shall remain present on each and every date during trial
and the default on two consecutive dates on his part without any
reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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