

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6321 of 2017

Arising Out of PS.Case No. -12 Year- 2012 Thana -SIMULTALA District- JAMUI

- =====
1. Bimlesh Kumar @ Bimal Kumar son of Surendra Singh, R/o village- Bhogyanagar, P.S.- Kishuni, District- Mainpuri
 2. Ravi Singh @ Ravi Kumar Singh @ Raviya, son of Pratap Singh Chouhan
 3. Sarvesh Kumar son of Ganga Ram Sharma
Both R/o village- Pawaya, P.s.- Kishuni, District- Mainpuri
 4. Arjun Singh @ Arjun Singh Yadav, son of Bhajan Lal, R/o village- Khajuriya, P.S.- Alau, District- Mainpuri
 5. kUmesh Singh @ Umed Singh, son of Panchilal Yadav, R/o village- Harishchandrapur, P.S.- Alau, District- Mainpuri

.... Petitioners

Versus

State of Bihar & Anr

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

For IOCL :- Mr. Krishna Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 17-03-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Simultalla P.S. Case No. 12 of 2012 registered for the offences punishable under Sections 379/511 of the Indian Penal Code and Sections 15 and 6 of the Petroleum and Mineral Pipe Line Act.

Allegedly, the Deputy Manager, Operation of Paradeep Haldia Barauni Pipe Line, Barauni Refinery, Begusarai lodged this case alleging that some unknown miscreants might have tried to commit theft from the pipeline at Chanega No. 381 Kilometer as



crude oil was found leaking from there.

Submission is of false implication and that merely on suspicion the petitioner has been implicated in this case, confessional statement of the petitioners have been recorded in Simultalla P.S. Case No. 54 of 2015 and from that case they have been remanded in this case on 27.07.2016, resulting, they are suffering in custody, there is no eye witness or materials to substantiate the alleged theft of crude oil. The petitioners are neither named in the FIR nor apprehended on the spot and as such they deserve sympathetic consideration.

Learned counsel representing IOCL opposes the prayer of bail by submitting that the petitioners have confessed their guilt in Simultalla P.S. Case No. 54 of 2015 and they have been arrested with several articles.

In the facts and circumstances stated above, considering that in this case chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II, Jamui in S. Tr. No. 290 of 2016 arising out of Simultalla P.S. Case No. 12 of 2012, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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