

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54168 of 2017

Arising Out of PS.Case No. -117 Year- 2013 Thana -JHAJHA District- JAMUI

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Shambhu Barnwal @ Shambhu Sinduria @ Shambhu Das, Son of Hure
Modi, Resident of Village- Blehkorwa, P.S.- Chakai, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Amrendar Kumar, S/o Indu Bhushan Prasad Singh, Prabandhak, resident
of Hazaribagh at present Pardip Haldia, Barauni Pipeline, Distt-
Begusarai.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Jhajha P.S. Case No.117
of 2013 registered under Section 379/511 of the Indian Penal Code
and Section 15 and 16 of the P.M.P. Act.

As per the prosecution case, some unknown persons
are said to have pilfered the petrol by tampering in the pipeline.

It is submitted by learned counsel for the petitioner
that the petitioner is neither named in the F.I.R. nor he was
apprehended on the spot. No incriminating article has been
recovered from his conscious physical possession. There is
nothing in the case diary indicating the complicity of the petitioner



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in the occurrence barring the confessional statement of co-accused Arjun Singh and five other accused persons. Petitioner had no criminal antecedent prior to the aforesaid case rather he has been falsely implicated in some other cases by the police. Similarly situated accused Arjun Singh @ Arjun Singh Yadav along with five other persons have been granted bail by a coordinate Bench of this court in Cr. Misc. No.42019 of 2017 vide order dated 20.09.2017. The petitioner has been languishing in custody since 11.05.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Jamui in connection with Sessions Trial No.304 of 2017, arising out of Jhajha P.S. Case No.117 of 2013.

(Prakash Chandra Jaiswal, J)

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