

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20851 of 2020

Arising Out of PS. Case No.-297 Year-2018 Thana- ATHMALGOLA District- Patna

JANARDAN SINGH @ JANARDHAN SINGH Son of Ram Swarath Singh
@ Late Ramswarath Singh Resident of Village - Chanda, P.S.- Athmal Gola,
Distt - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Diwakar Son of Ram Chandra Prasad Resident of Village - Raja Parsaoni, P.S.- Raja Parsaoni, Distt - Sitamarhi, Presently posted as Manager Operational, Barauni, Kanpur Pipeline India Oil Corporation Ltd, Barauni Oil Refinery, Distt - Begusarai, Pin - 85114

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 16-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 15(2) & 15(4) of Petroleum and Minerals Pipeline Act, 1962 Amendment Act, 2011, Section 3/4 of Explosive Substances Act, 1908 and 3/4 of Prevention of Damage of Public Property Act, 1984.



Earlier prayer for bail of the petitioner was rejected vide Annexure-1 to the present application with observation “*at this stage*” and in pursuance of the said observation, the present bail application has been filed on behalf of the petitioner.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is in custody since 05-12-2018. Charge sheet/Prosecution report in this case has already been submitted. There is allegation of committing theft of petrol, in question. The allegation, made in the FIR is denied by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

A report was called for from the trial court and the same has been received. From perusal of report, it appears that the trial of the petitioner is not going to conclude in near future. The petitioner is in custody for more than one and half year.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Sub Judicial Magistrate, Barh in connection with Sessions Trial
No. 1145 of 2019 arising out of Athmalgola P.S. Case No. 297
of 2018.

(Sudhir Singh, J)

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