

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73138 of 2019

Arising Out of PS. Case No.-225 Year-2017 Thana- BUXAR MUFFSIL District- Buxar

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RAMESH YADAV @ RAMESH KUMAR YADAV @ RAMESH KUMAR
S/O Anand Yadav R/O B-3204, Phase- 2, Metro Vihar, Holambi Kalan,P.S.
Alipur , Distt.- Delhi-110082.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Indian Oil Co. Ltd, through its Manager (Pipeline), Barauni Refinery, Begusarai.

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr. Ashok Kumar Singh, Advocate. Mr. Bimlesh Kumar Pandey, Advocate. Mr. Amit Kumar Pandey, Advocate.
For the State	:	Mr. Anant Kumar 1, A.P.P.
For the IOCL	:	Mr. Krishna Chandra, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 17-03-2020 Let the supplementary affidavit filed on behalf of
the petitioner be kept on the record.

Heard the parties.

The petitioner seeks bail in connection with Buxar
(Muffasil) P.S. Case No.225 of 2017 registered under Sections
379, 511, 427 and 414/34 of the Indian Penal Code besides
Sections 3 and 4 of the Prevention of Damage to Public
Property Act, Sections 3 and 4 of the Explosive Substance Act,
Sections 15(2) and 15(4) of the Petroleum Mineral Pipeline Act
and Section 7 of the Essential Commodities Act, pending in the



court of the Additional Sessions Judge-VI, Buxar.

The accusation is that the informant Shyam Bihari Prasad being the Manager of IOCL was on patrolling duty in the night of 22/23.09.2017 for checking the pipeline. When the informant reached at Mahdah Bridge, then saw two vehicles, one small vehicle and one tanker, which started to flee away in high speed towards Jagdishpur, then Buxar (Muffasil) Police Station was informed and the driver of the tanker bearing Registration No.UP 86B-9688 leaving the tanker fled away. Thereafter, on verification, the pipeline was found tampered. The full paint was also found there, in which the license in the name of the petitioner and some other papers were kept.

Learned counsel appearing on behalf of the petitioner submits that while the allegation has been made against the petitioner to commit theft of the petrol after tampering the pipeline of the IOCL but the petitioner was not apprehended on the spot rather a full paint is said to be recovered, in which the driving license of the petitioner and other papers were kept. The petitioner is in custody since 18.06.2019.

On the other hand, learned counsel for the IOCL submits that the petitioner is habitual offender and he is accused



in five other cases, two cases of similar nature, and three others of different nature.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of the charge.

(Rajendra Kumar Mishra, J)

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