

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64582 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- JHAJHA District- Jamui

Rakesh Vishwakarma @ Rakesh Kumar Vishwakarma Son Of Kapil Vishwakarma @ Kapildeo Vishwakarma R/O Vill.- Ward No. 30, Neema Rang, P.S. And Distt.- Jamui

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Indian Oil Corporation Ltd. Paradweep Haldiya, Barauni Pipe Line Barauni Oil Refinery Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha
For the Opposite Party/s	:	Uday Bhan Singh
For the State	:	Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 15(2), 15(4) of

Petroleum and Minerals Pipe lines Act, Section $\frac{3}{4}$ of

Explosive Substance Act and Section $\frac{3}{4}$ of Prevention of

damage to public property Act.

The prosecution case in nutshell is that a



pressure drop was observed from Barauni Control Room. The concerned guard informed about loose soil over Pit BPL pipe line and raw oil was smelling. On digging it has been found that there was made a valve by welding of plat with a liner to extract oil for the purpose of theft.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R nor anything incriminating has been recovered from his conscious possession. The name of the petitioner sprang up in this case merely on the basis of suspicion. There is no material evidence against the petitioner. Moreover, the petitioner is languishing in judicial custody since 29.4.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Jhajha P.S. Case No. 248 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui.

(Sunil Kumar Panwar, J)

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