

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66823 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- JHAJHA District- Jamui

MD. SHABIR KHAN @ MOHAMMAD SABIR KHAN Son of Sakur Khan
R/o M 97, Singerhatty, Gardenreach Road, Near Til Company, Gardenreach,
P.S.- West Port, District- South 24 Pargana, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal,

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 15(2), 15(A) of the Petroleum and Mineral Pipeline Act, 1962 and Amendment Act, 2011 and Sections 3 & 4 of the Explosive Substance Act and Sections 3 & 4 of Prevention of Damage to Public Property Act, 1984.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of committing theft of oil from the pipeline of Indian Oil Corporation.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that petitioner is a businessman and the Tanker which was found involved in the occurrence belongs to him. It is next submitted that the petitioner was completely unaware that the driver of the Tanker would misuse the vehicle in the manner as alleged, as the consignment was loaded on the Tanker from West Bengal for Bihar and after delivering the consignment the Tanker was coming back, when the alleged occurrence took place. It is further submitted that no prudent businessman would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time will bring disrepute to his business.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Jhajha P.S. Case
No. 85 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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