

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45264 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- PANDARAK District- Patna

1. Sudarshan Lal S/o Shailendra Kumar
2. Aryan Raj S/o Prem Kumar
3. Pramod Kumar S/o Surendra Prasad.
All R/o vill - Oli Bigha, P.S. - Chandi, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Kashyap, Advocate
For the Informant/IOCL	:	Mr.Raj Kumar, Advocate
	:	Mr.Rajnish Kumar, Advocate
For the State	:	Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-11-2024 Heard Mr.Ashok Kumar Kashyap, learned counsel
for the petitioners, Mr.Rajnish Kumar, learned counsel for the
IOCL and Md. Ataur Rahman, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody
since 11.03.2024 in connection with Pandarak P.S. Case No.
10 of 2024, FIR dated 17.01.2024 registered for the offence
under Sections 379, 411, 427 and 120(B) of the Indian Penal
Code, Section 15/16 of Petroleum and Minerals
Pipelines(Acquisition of Right of user in Land) Act, 1962,
Section 3/4 of the Explosive Substance Act and Section 3/4 of
Prevention to Damage of Public Property Act.



3. As per the prosecution case, some unknown persons are involved in the theft of oil from pipe line of I.O.C.L.

4. Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case. Further submits that the petitioners are not named in the FIR and the name of the petitioners have been transpired during investigation on the basis of the confessional statement of co-accused person. Further submits that nothing has been recovered from conscious possession of the petitioners and except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence. Further submits that co-accused person, namely, Manish Kumar, against whom the similar allegation, has been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No.62792 of 2024 and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 11.03.2024.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the



petitioners and submits that petitioners carry eight more cases of similar nature other than the present one.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Barh, Patna in connection with Pandarak P.S. Case No. 10 of 2024, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However,



the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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