

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64163 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- BARHIYA District- Lakhisarai

Rahul Kumar Son of Vimal Rai @ Bimal Rai Resident of Village - Daulatpur
- Devariya, P.S - Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 06-12-2024 Heard the learned counsel for the petitioner, learned
APP for the State and learned counsel for the IOCL; Sri Raj
Kumar.

2. The petitioner seeks regular bail in the present case
registered for the offence under Sections 285, 379, 427/34,
120B of the Indian Penal Code, Section 15(2) and 15(4) of the
Petroleum and Mines Act, Section 3/4 of the Explosive Substance
Act and Section 7 of the Essential Commodities Act.

3. As per the prosecution case, thieves extracted oil
from the Paradip-Haldiya-Barauni petroleum pipeline.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR, neither any incriminating



article has been recovered from the possession of the petitioner nor the petitioner has been arrested from the place of occurrence. Petitioner is in custody since 05.06.2024 and has clean antecedent.

5. Learned A.P.P. for the State and the learned counsel for the I.O.C.L. have vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Lakhisarai/concerned Court below in connection with Barhiya P.S. Case No. 137 of 2024 subject to conditions that:-

(i). The petitioner will mark his attendance at the Hajipur Sadar Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond



of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

(iii). In the future, if the petitioner is found involved in any further crime, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sandeep Kumar, J)

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