

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33404 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- BAKHTIYARPUR District- Patna

Md. Dawloo S/o Md. Jamal R/o Noorsarai Bazar Sah Salempur, P.S.-
Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Singh, Advocate Mr. Samir Kumar Bharti, Advocate Mr. Satyendra Prasad Singh, Advocate
For the State	:	Mr.Parmeshwar Mehta, APP
For the I.O.C.L.	:	Mr. Raj Kumar, Advocate Mr. Sarvottam Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel appearing on behalf of Indian

Oil Corporation Limited.

2. In the present case, the petitioner seeks bail in connection with Bakhtiarpur P.S. Case No. 73 of 2024, registered on 11.02.2024 for the alleged offences under Sections 379, 285, 411, 427, 440, 120B/34 of the Indian Penal Code, Sections 15(2), 15(4), 16 of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, Sections 3/4 of Explosive Substances Act, Sections 3/4 of Prevention to Damage of Public Property Act and Section 7 of Essential Commodities Act.



3. As per prosecution case, unknown thieves committed theft of petroleum product from the IOCL pipeline by tampering with the pipeline from Barauni to Patna. The name of the petitioner transpired during investigation for being involved in such crime.

4. Learned counsel appearing on behalf of petitioner submits that he has been falsely implicated in this case. The name of the petitioner transpired in this case on the basis of his confessional statement recorded in Athmalgola P.S. Case No. 45 of 2024 when he was arrested in the said case. Nothing incriminating has been recovered from the person or possession of the petitioner. No substantive material came up during investigation showing the involvement of the petitioner. Learned senior counsel further submits that the petitioner has been made accused in altogether seven cases. The petitioner has been remanded in this case on 12.03.2024 and charge sheet has been submitted.

5. Learned APP as well as learned counsel appearing on behalf of Indian Oil Corporation Limited vehemently oppose the submission made on behalf of the petitioner. Learned counsel appearing on behalf of Indian Oil Corporation Limited submits that the petitioner is a habitual offender and committed



theft of the petroleum product from the pipeline of Indian Oil Corporation Limited.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material showing the involvement of the petitioner with the offence as alleged and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna/concerned Court in connection with Bakhtiarpur P.S. Case No. 73 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the



petitioner will be liable to be cancelled
by the court concerned.

7. However, the learned trial court will verify about
the recovery from the petitioner and if it is found that the
recovery has been made from the petitioner then bail bonds will
not be accepted.

(Arun Kumar Jha, J)

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