

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48776 of 2025

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

Sudesh Kumar Son of Bishram Singh Resident of Village- Bidula, P.s.-
Bidula, Distt.- Auraiya (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indian Oil Corporation Limited, Pipelines Division, Barauni-Kanpur Pipe
Line Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Bakhtiyarpur P.S. Case No. 73 of 2024 registered for the offences

under Sections 379, 285, 411, 427, 440 and 120(B)/34 of the

Indian Penal Code and Sections 15(2), 15(4) and 16 of the

Petroleum and Minerals Pipe Line Act 1962, Section 3/4 of the

Explosive Substance Act 1908, Section 3/4 of the Prevention to

Damage of Public Property Act & Section 7 of the E.C. Act.

3. The petitioner is not named in the F.I.R. and is in

custody since 06.03.2024.

4. As per FIR unknown thieves committed theft of



petroleum product from the IOCL pipeline by puncturing it somewhere between Barauni to Patna.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner was arrested in Athmalgola P.S. Case No. 45 of 2024, where after on basis of his self-confession he was implicated with the present case. It is submitted that in furtherance of suspicion arising out of self-confession nothing incriminating recovered/surfaced as to connect petitioner prima-facie with the present crime in question. It is submitted that similarly situated co-accused persons namely Md. Dawloo has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 33404 of 2025 vide order dated 13.08.2025, therefore on the ground of parity this petitioner also deserves bail. While concluding the argument it is submitted that out of police atrocities on the basis of self-confession petitioner implicated with 8 more cases, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of self-



confession prima-facie nothing incriminating appears against petitioner as to connect him with the present crime in question, coupled with the fact as petitioner remains in custody since 06.03.2024, accordingly above named petitioner, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 73 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Barh, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

