

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19951 of 2026**

Arising Out of PS. Case No.-3 Year-2024 Thana- SALIMPUR District- Patna

Sudesh Kumar Son of Bishram Singh Resident of Village- Bidhuna, P.s.-  
Bidhuna, District- Auraiya, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indian Oil Corporation Ltd. through its DGR Supervision, Pipeline Division,  
Barauni Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Ashok Kumar Kashyap, Advocate |
| For the Opposite Party/s | : | Mr. Parmeshwar Mehta, APP         |
| For the IOC              | : | Mr. Raj Kumar, Advocate           |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      22-04-2026                      Heard Mr. Ashok Kumar Kashyap, learned counsel  
for the petitioner, Mr. Raj Kumar, learned counsel for the Indian  
Oil Corporation and Mr. Parmeshwar Mehta, learned Additional  
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
22.03.2024 in connection with S. Tr. No. 1839 of 2025 arising  
out of Salimpur P.S. Case No. 03 of 2024, F.I.R. dated  
09.01.2024 for the offences punishable under Sections 379,  
511, 427, 285 and 120(B) of the IPC, Sections 15(2) and 15(4)  
of Petroleum and Minerals Pipe Line (Acquisition of Right of  
user in land) Act, 1962, Sections 3/4 of Explosive Substance  
Act, 1908, Section 3/4 of Prevention to damage of Public



Property Act and Section 7 of E.C. Act.

3. According to prosecution case, some miscreants are said to have been involved in the theft of oil from has pipe line of I.O.C.L.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the FIR and his name has been transpired on the basis of the confessional statement of the petitioner which was recorded in Athmalgola P.S. Case No. 45 of 2024 and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that from perusal of the FIR it appears that the date of occurrence is 02.01.2024 but the present FIR has been instituted on 09.01.2024 i.e, after delay of seven days without giving any explanation of the said delay. Apart from that no one is the eye witness of the alleged occurrence and petitioner has been made accused merely on the basis of his previous criminal antecedents of similar nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.03.2024 more than two years.



5. The learned counsel for the IOC as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 16 criminal antecedents other than the present one but fairly submits that he is on bail in 12 cases out of 16.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-IV, Barh, Patna in connection with S. Tr. No. 1839 of 2025 arising out of Salimpur P.S. Case No. 03 of 2024, subject to the following conditions:-

i. Learned court below is directed to verify the criminal antecedents of the petitioner and also verify whether the petitioner is on bail in 12 cases or not before furnishing the bail bond of the petitioner.

ii. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)**

Vanisha/-

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