

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88751 of 2025

Arising Out of PS. Case No.-584 Year-2023 Thana- BARH District- Patna

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Sudesh Kumar S/o Vishram Singh R/o Mohalla - Bidhula, P.S.- Bidhula,
Distt.- Auraiya, U.P.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indian Oil Corporation Limited, Pipelines Division, Barauni, Kanpur,
Pipeline India

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 379, 440 & 120(B) of the Indian Penal Code, under Sections 15(2), 15(4) and 16 of the Petroleum and Minerals Pipe Line (Acquisition of Right of User in Land) Act, 1962 and under Section 7 of the E.C. Act.

3. The case of the prosecution, in short, is that the petitioner is accused of committing theft of oil from the Indian Oil Corporation pipeline.

4. Learned counsel for the petitioner submits that the case was filed against unknown miscreants. It has been submitted that the petitioner was apprehended in Athmalgola P.S. Case no. 45



of 2024 and after that he was framed in other cases. The petitioner is having criminal antecedent of 16 cases which is clear from the supplementary affidavit.

5. Learned counsel for the IOCL has submitted that the petitioner is the master mind. He is resident of Mathura and it has also been submitted that the bail application of similarly situated co-accused, namely, Manish Kumar, Sudarshan Lal, Aryan Raj and Pramod Kumar were rejected by the learned Co-ordinate Bench vide Cr. Misc. Nos. 51065 of 2024 and 54167 of 2024. The case of this petitioner stands on similar footing.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage, however, learned trial court is directed to expedite the trial so as to conclude the trial within a period of six months as the petitioner is in custody since 11.03.2024. The petitioner is at liberty to renew his prayer for bail after six months if the trial is not concluded. Petitioner is directed to co-operate in the trial. This privilege of liberty will not be applicable if the petitioner does not co-operate in trial.

(Ashok Kumar Pandey, J)

durgesh/-

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