

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. A. (DB) No. 828 of 2025

Firoj Khan @ Firoz Khan, aged about 47 years, S/o Majid Khan, R/o village-Muslim Para, R.K. Mission Bye Lane, P.O. & P.S.-Asansol, Dist. Bardhman, West Bengal, pin code-713303

... .. **Appellant**

Versus

1. The State of Jharkhand
2. Indian Oil Corporation

... .. **Respondents**

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant	: Mr. Amit Kumar, Advocate
For the State	: Mr. Vineet Kr. Vashistha, Spl.P.P.
For I.O.C.	: Mr. Amit Kr. Sinha, Advocate

Order No. 03/ Dated: 17th September, 2025

Heard Mr. Amit Kumar, learned counsel for the appellant and Mr. Vineet Kr. Vashistha, learned Spl.P.P. assisted by Mr. Amit Kr. Sinha, learned counsel appearing for the Indian Oil Corporation.

2. This appeal is directed against the order dated 15.04.2025 passed by the learned Additional Sessions Judge-III, Jamtara in Misc. Criminal Application No. 242 of 2025, arising out of Mihijam P.S. Case No. 76 of 2022, whereby and whereunder the prayer for bail of the appellant has been rejected.

3. It has been alleged that theft was committed from the Haldia-Baroni Pipeline and the total quantity of diesel stolen was about 30,000 Liter worth Rs. 28,44,600/-.

4. Submission has been advanced by the learned counsel for the appellant that the appellant is in custody since 01.03.2025. It has further been submitted that the appellant is merely the driver of Biplav Arya and nothing has been recovered from his conscious possession.

5. Mr. Vineet Kr. Vashistha, learned Spl. P.P. appearing for the State

has opposed the prayer for bail of the appellant.

6. On consideration of the period of custody undergone by the appellant and the fact that no incriminating article has been recovered from the possession of the appellant, we while setting aside the order dated 15.04.2025 passed by the learned Additional Sessions Judge-III, Jamtara in Misc. Criminal Application No. 242 of 2025, arising out of Mihijam P.S. Case No. 76 of 2022, direct the appellant to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Addl. Sessions Judge-III, Jamtara.

7. Accordingly, this appeal stands allowed and disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

17.09.2025
Basant/Arpit