

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3732 of 2017**

Arising Out of PS.Case No. -15 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA  
=====

1. Binod Sharma @ Vinod Sharma, Son of Late Ram Kishun Sharma,  
resident of Village Jhapra Tola, Ward No. 39 P.S and District - Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi, APP  
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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      09-02-2017                      Heard learned counsel for the petitioner and the  
  
learned APP for the State.

The petitioner seeks bail in Saharsa Rail P.S. Case  
No.15 of 2016 instituted for the offence under Section 392 of the  
Indian Penal Code.

It has been submitted on behalf of the petitioner that  
no T.I.P. has been done till today. It has been stated in paragraph  
10 of the bail petition that the police mentioned in paragraph 110  
of the case diary that the recovered mobile from the possession of  
the petitioner belonged to petitioner.

From the written report it appears that four  
miscreants looted the mobile and cash from the possession of  
informant and his friend Ravi Kumar when they had gone for call



of nature near the washing pit.

Seizure list has been enclosed with the FIR which shows that this petitioner was handed over to the police by the informant and others and one Nokia Mobile and cash is alleged to have been recovered from the possession of this petitioner. But it is submitted that no T.I.P. has been held with regard to those looted articles.

From the order of the Session Judge it appears that the petitioner is in custody since 11.08.2016.

In view of such, 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 learned Additional Chief Judicial Magistrate Railway, Khagaria in connection with Saharsa Rail P.S. Case No.15 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

Arvind/-

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