

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48033 of 2017**

Arising Out of PS.Case No. -375 Year- 2015 Thana -BAKHTIARPUR District- SAHARSA

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Rahul Sharma Son of Bido Sharma @ Vidhyanand Sharma, R/o Village-  
Mohaniya, P.S.- Bakhtiyarpur (Balwahat O.P.), District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      14-11-2017                      Heard the learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
13.09.2016 in connection with Bakhtiyarpur P.S. Case No.  
375/2015 for offence alleged under Section 392 of the Indian  
Penal Code. Later on, sections 395 and 412 of the Indian Penal  
Code were added.

The prosecution case as lodged by the informant is that  
while he was coming from the office containing several  
documents in the bag, as he was Sangam Manager of SKT Finance  
LTC, four miscreants stopped him on gun point and snatched  
away all the articles along with cash and his mobile.

It has been submitted by the learned counsel for  
petitioner that he is innocent, not named in the F.I.R. and his name  
surfaced during investigation. There is no eye-witness of the



alleged occurrence. He submits that Test Identification Parade has not been done so far and that other co-accused have been granted privilege of bail by a Coordinate bench of this court in Cr. Misc. 6366/2016 on 29.02.2016. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. It is further submitted that subsequent to the present case the petitioner has been made accused in two more cases registered under different sections of the Indian Penal Code, in which he is on bail.

However, learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and material on record, let the petitioner named above, be enlarged 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, Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No. 375/2015, subject to the condition that one of the bailors would be a close relative of the petitioner and that if the petitioner is found to have indulged in similar offence in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Vinita/-

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