

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25180 of 2015

Arising Out of PS.Case No. -173 Year- 2013 Thana -MADANPUR District- AURANGABAD

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1. Rakesh Giri @ Bhim Singh @ Baba S/o Sri Janardan Giri Resident of
Village Ankoda, P.S. Khaira, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Pushpa Sinha No.2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Madanpur P.S. Case No. 173 of 2013 registered for the offence
punishable under Sections 395, 397, 216A, 412, 120B of the
Indian Penal Code.

First Information Report has been registered against
unknown for looting cash of Rs. 43,00,000/- from the cash van of
the bank after injuring both guards. During investigation one
Safari vehicle was intercepted and from which four persons started
fleeing away and the petitioner was caught and after search one
country made loaded pistol and further two other live cartridges, a
gold chain, sim and cash of Rs. 22,880/- was recovered. Similarly

from other apprehended miscreants also recovery was made.

Submission is of false implication and that only on the basis of confessional statement which has got no evidentiary value in the eye of law the petitioner has been implicated in this case and is suffering in custody since 05.11.2013. Some of other co-accused persons have been allowed bail in this case.

Learned APP opposes the prayer of bail by submitting that not only the petitioner has confessed his guilt but from his possession loaded country made pistol and part of the looted amount i.e. Rs. 22,880/- has also been recovered and further prayer of bail of co-accused Shashi Verma who was caught with the petitioner has been rejected by another Bench of this Court vide order dated 08.07.2014 passed in Cr. Misc. No. 19011 of 2014.

In the facts and circumstances stated above, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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