

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33317 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -AMAS District- GAYA

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1. Asrar Ahmad @ Asrar Mohammad @ Tinna S/o Late Mukhtar Khan, R/o Vill.- Kakrala, P.S.- Alhapur, District- Badaun, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Shahid Jamal (Branch Mangager, Bank of Baroda , Naugarh Branch), S/o Md. Izrail Mansoori, R/o Mohalla- Lal Niyan Ki Dargah, P.S.- Phulwari Sharif, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin
For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is in custody since 07.02.2018 in connection with Amas P.S. Case No. 10 of 2018 for the offence registered under Sections 361 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the allegation is that the petitioner had participated in the crime of looting the ATM machine of Bank of Baroda, there is no material to indicate that the petitioner had in fact participated in the crime save and except the confessional statement made before the police which has no evidentiary value. It is further submitted that similarly other co-accused persons, whose name has figured in the



confessional statement, has since been granted bail by this court, therefore, the petitioner is also entitled to the privilege of bail.

Diary of the present case was called for which has since been received.

Having considered the materials available in the case diary and upon taking into all the facts and circumstances of the case and that the petitioner has several criminal antecedents and some recovery of money has also been made from him, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

However, the petitioner will be at liberty to renew his prayer for bail after framing of charge.

(Anjana Mishra, J)

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