

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14715 of 2015

Arising Out of Rajnagar PS.Case No. -191 of 2014 Thana -RAJNAGAR
District- MADHUBANI

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1. Laxman Ram, Former Head Master In-Charge of Middle School,
Jaharohara, Son of Yugeshwar Ram, Resident of Village - Chapahi
(Ram Tol), P.S. - Rajnagar, District - Madhubani.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Upendra Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

5 09-07-2015 This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the

petitioner, namely, Laxman Ram, in connection with Rajnagar

P.S.Case No. 191 of 2014 under Sections 409/420 of the Indian

Penal Code.

Perused the above application, materials available in the

case-diary and materials on record including a copy of the order,

dated 04.03.2015, passed, in A.B.P. No. 95 of 2015, by the learned

Sessions Judge, Madhubani, rejecting the said application for pre-

arrest bail.

Heard Mr. Subhash Kumar Jha, learned counsel for the

petitioner, and Mr. Upendra Kumar, learned APP, appearing for

the State.

The High Court, while exercising its powers under Section 438 Cr.P.C., stands on the same footing as does a Sessions Judge inasmuch as a High Court and Sessions Judge have coordinate jurisdiction, while exercising power under Section 438 Cr.P.C.

Because of the nature of incriminating materials available against the petitioner, this Court is of the view that in the facts and attending circumstances of the present case, the petitioner has not been able to make out any case calling for giving him benefit of pre-arrest bail.

In view of the above and in the interest of justice, the prayer for pre-arrest bail is hereby rejected.

(I. A. Ansari, J)

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