

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8658 of 2015

Arising Out of PS.Case No. -2976 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Sanjay Pandit @ Sanjay Kumar Pandit son of Ram Pandit resident of
Chakala Maula Nagar P.S. Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Paro Kumari @ Paro Devi D/o late Sahdeo Pandit W/o Sanjay Pandit
r/o Sameli Chakha Maula Nagar P.S. Falka, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Opposite Party/s : Mr. T.N. Thakur (App)

For the Informant : Mr. Mukesh Kumar Jha, Advocate.

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

4 02-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Sanjay Pandit @ Sanjay Kumar Pandit, in connection with Complaint Case No. CA 2976 of 2013 under Sections 498A/313/323 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Perused the above application, materials available on record including a copy of the order, dated 04.02.2015, passed, in A.B.P. No. 1342 of 2014, by the learned Sessions Judge, Katihar, rejecting the said application for pre-arrest bail.

Heard Mr. Ajit Kumar Singh, learned counsel for the petitioner, and Mr. T.N. Thakur, learned Additional Public

Prosecutor, appearing on behalf of the State. Heard also Mr. Mukesh Kumar Jha, learned Counsel, appearing on behalf of the informant.

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.

Considering incriminating nature of materials 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 them 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.

Mkr./-

(I. A. Ansari, J.)

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