

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25183 of 2015

Arising Out of PS.Case No. -336 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Vijay Sah @ Vijay Kumar Sah S/o Darogi Sah, Resident of Village
Gudri, Police Station Dalsingsarai, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. U.S.P.Singh(APP)

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

2 08-07-2015

This is an application, made under Section 438 of the
Code of Criminal Procedure, seeking pre-arrest bail by the
petitioner, namely, Vijay Sah @ Vijay Kumar, in connection
with Dalsingsarai P.S. Case No. 336 of 2014 under Sections
148/149/353/341/427/323/332/333/307/504 of the Indian Penal
Code.

Perused the above application, materials available on
record including a copy of the order, dated 13.04.2015, passed,
in A.B.P. No. 590 of 2015, by the learned Sessions Judge,
Samastipur, rejecting the said application for pre-arrest bail.

Heard Mr. Rana Sanjay Kumar Singh, learned
counsel for the petitioner, and Mr. U.S.P. Singh, learned
Additional Public Prosecutor, appearing on behalf of 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.

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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