

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4934 of 2015

Arising Out of Main PS.Case No. -13 of 2014, Thana -MAIN P.S. District-
GAYA

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1. Jallu Sharma @ Jalendra Kumar S/O Parshuram Sharma, Resident of vill-
Pai Bigha Dih, P.S-Main, Distt.-Gaya

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Lalan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 25-06-2015 This is an application, made under Section 438 of the

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

petitioner, namely, Jallu Sharma @ Jalendra Kumar, in connection

with Main P.S.Case No. 13 of 2014 under Sections

341/324/326/307/34 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 05.01.2015, passed, in A.B.P. No. 1585 of 2014, by the

learned Sessions Judge, Gaya, rejecting the said application for

pre-arrest bail.

Heard Mr. Pramod Kumar, learned counsel for the

petitioner, and Mr. Lalan 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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