

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5510 of 2015

Arising Out of Jehanabad Mahila PS.Case No. -51 Year- 2014 Thana -
MAHILA PS, District- JEHANABAD

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1. Manoj Kumar Son of Sarjoo Prasad, Resident of village - Ahiyasha, P.S.
Ghosi, District - Jehanabad

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Laxmi Kant Sharma(App)

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

6 16-07-2015 This is an application, made under Section 438 of the

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

petitioner, namely, Manoj Kumar, in connection with Jehanabad

Mahila P.S.Case No. 51 of 2014 under Sections

323/341/379/498(A)/504 of the Indian Penal Code.

Perused the above application, and materials on record
including a copy of the order, dated 13.01.2015, passed, in A.B.P.
No. 954 of 2014, by the learned Sessions Judge, Jehanabad,
rejecting the said application for pre-arrest bail.

Heard Mr. Umesh Kumar, learned counsel for the
petitioner, and Mr. L.K.Sharma, 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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