

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20076 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

1. Pradeep Kumar Yadav S/o Late Bhaggu Yadav R/o Mohalla Ishakchak,
Indra Perastha Colony, Lichi Bagan, P.S. Ishakchak, District Bhagalpur.
..... Petitioner

Versus

1. The State of Bihar
..... Opposite Party

With
Criminal Miscellaneous No.27864 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

1. Manish Kumar @ Manish Yadav @ Mnish Yadav S/o Shri Janardhan
Yadav R/o Village Kareha, P.S. Nath Nagar, Distt. Bhagalpur.
..... Petitioner

Versus

1. The State of Bihar.
..... Opposite Party

With
Criminal Miscellaneous No.42057 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

1. Md. Tanveer Anwar @ Md. Tanveer Ahmad s/o late Abdul Rashid r/o
Urdu Bazar, P.S. Tatarpur, Distt. Bhagalpur.
..... Petitioner

Versus

1. The State of Bihar.
..... Opposite Party

With
Criminal Miscellaneous No.43844 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

1. Digvijay Kumar Bhagat @ Digvijay Kumar Son of Uday Shankar Bhagat
Resident of Village- Amarpur, P.S.- Amarpur, District- Banka.
..... Petitioner

Versus

1. The State of Bihar
..... Opposite Party

With
Criminal Miscellaneous No.50891 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

1. Smt. Jyoti Srivastava W/o Deepak Kumar Srivastava R/o Purani sarai,

P.S. Nath Nagar, Distt. Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.20076 of 2014)

For the Petitioner : Mr. B.P. Pandey, Senior Advocate
Mr. Pravin Kumar Sinha, Advocate

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

For the Informant : Mr. Jitendra Singh, Senior Advocate

(In Cr.Misc. No.27864 of 2014)

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party : Mr. Nityananad Tiwary(App)

For the Informant : Mr. Mrigank Mauli, Advocate

(In Cr.Misc. No.42057 of 2014)

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party : Mr. M.Dayal (App)

(In Cr.Misc. No.43844 of 2014)

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party : Mr. Duresh Nandan (App)

(In Cr.Misc. No.50891 of 2014)

For the Petitioner : Mr. Amresh Kumar Sinha

For the Opposite Party : Mr. Abhay Kr.Roy(App)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

11 20-02-2015

These five applications, made under Section 438

Cr.P.C., seeking pre-arrest bail by the petitioners, above named, in connection with Ishakchak Police Station Case No. 25 of 2014, under Sections 420, 406, 465, 467, 471 and 120B of the Indian Penal Code.

Perused the above applications, materials available in the case diary and materials on record including copy of the orders, dated 26.03.2014, passed, in A.B.P. No. 578/2014, dated 04.04.2014, passed, in A.B.P. No. 725/2014, and dated 14.08.2014, passed, in A.B.P. No.

797/2014, respectively by the learned Sessions Judge, Bhagalpur rejecting the said applications for pre-arrest bail.

Heard learned counsel for the petitioners, and learned Additional Public Prosecutor, 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 the jurisdiction, while exercising power under Section 438 Cr.P.C.

Considering the fact that perusal of the materials on record reveals sufficient incriminating materials against the petitioners and also indicates that custodial interrogation is necessary in order to carry out effective investigation, this Court is of the view that the petitioners have 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 anticipatory bail is hereby rejected.

(I. A. Ansari, J)

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