

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51063 of 2014

Arising Out of Dumra PS.Case No. -236 Year- 2014 Thana -DUMRA
District- SITAMARHI

- =====
1. Ranjeet Kumar, S/o Bindeshwar Sah
 2. Sanjay Sah, S/o Mahendra Sah
 3. Ajay Sah, S/o Mahendra Sah
- All residents of village Barharwa,
P.S. Dumra, District Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Md. Ataur Rahman(APP)

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

4 14-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Ranjeet Kumar, Sanjay Sah and Ajay Sah in connection with Dumra P.S.Case No. 236 of 2014 under Sections 363/366(A)/376/34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 19.11.2014 passed, in A.B.P. No. 1254 of 2014 by the learned Sessions Judge, Sitamarhi, rejecting the said application for pre-arrest bail.

Heard Mr. Dinesh Jha, learned counsel for the petitioners, and Mr. Md. Ataur Rahman, 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 petitioners, this Court is of the view that in the facts and attending circumstances of the present case, 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 pre-arrest bail is hereby rejected.

(I. A. Ansari, J)

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