

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50922 of 2014

Arising Out of PS.Case No. -157 Year- 2014 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Randhir Pratap Singh @ Pintu S/o Birendra Singh Resident of Village -
Paharitar P.S-Islampur,District-Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Senior Advocate
Mr. Pravin Kumar, Advocate

For the Opposite Party : Mrs. Pushpa Sinha No.2, APP

For the Informant : Mr. Rajeev Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 16-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Randhir Pratap Singh @ Pintu, in connection with Islampur Police Station Case No. 157 of 2014 under Sections 304(B)/201 read with Section 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Perused the above application and materials on record including a copy of the order, dated 20.09.2014, passed, in A.B.P. No. 696 of 2014, by the learned Sessions Judge, Nalanda, rejecting the said application for pre-arrest bail.

Heard Mr. Yogesh Chandra Verma, learned Senior Counsel for the petitioner, and Mrs. Pushpa Sinha No.2, learned Additional Public Prosecutor, appearing for the State. Heard also

Mr. Rajeev Kumar Singh, learned counsel, appearing for the Informant.

The High Court, while exercising its powers under Section 438 Code of Criminal Procedure, 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 Code of Criminal Procedure.

Considering the fact that perusal of the materials on record reveals sufficient incriminating materials against the petitioner and also indicates that custodial interrogation is necessary in order to carry out effective investigation, 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.

(I. A. Ansari, J)

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