

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50956 of 2014

Arising Out of PS.Case No. -62 Year- 2014 Thana -GAYA HARIZAN District- GAYA

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Manoj Kumar Verma @ Banti Son of Biltu Prasad Resident of Village - Nai Sadak, Maulaganj, P.S.-Civil Line, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate

For the Opposite Party : Mrs. Indu Kri. Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 21-05-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Manoj Kumar Verma @ Banti, in connection with Gaya SC/ST Police Station Case No. 62 of 2014 under Sections 420/467/468/120B of the Indian Penal Code and Section 3(ii)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perused the above application and materials on record including a copy of the order, dated 18.11.2014, passed, in A.B.P. No. 2329 of 2014, by the learned Sessions Judge, Gaya, rejecting the said application for pre-arrest bail.

Heard Mr. Ravi Ranjan, learned counsel for the petitioners, and Mrs. Indu Kumari Srivastava, learned Additional Public Prosecutor, appearing for the State.

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 incriminating nature of materials 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 her 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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