

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43200 of 2014

Arising Out of PS.Case No. -269 Year- 2014 Thana -BARH District- PATNA

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Ganesh Prasad Singh S/o Late Muneshwar Prasad Singh Resident of Village
- Ekdanga, P.S. - Belchhi, Dist.- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Onkar Kumar, Advocate

For the Opposite Party : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 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, Ganesh Prasad Singh, in connection with Barh Police Station Case No. 269 of 2014 under Sections 467/468/406/420B of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 20.09.2014, passed, in A.B.P. No. 217 of 2014, by the learned Additional Sessions Judge 1st, Barh, rejecting the said application for pre-arrest bail.

Heard Mr. Onkar Kumar, learned counsel for the petitioners, and Mr. Ram Anurag Singh, 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 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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