

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25104 of 2015

Arising Out of PS.Case No. -543 Year- 2014 Thana -KHAGARIA District- KHAGARIA

=====

1. Bamshankar Kumar @ Panna Singh S/o Sri Kamal Sharma,
2. Ravi Kumar @ Ravi S/o Sri Arun Kumar Singh,
Both are Resident of Village Rahimpur Panchkutti, P.S. Mufassil, District
Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Chandra, Advocate.

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

=====

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

2 08-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Bamshankar Kumar @ Panna Singh and Ravi Kumar @ Ravi, in connection with Khagaria P.S. Case No. 543 of 2014 under Sections 341/342/323/325/307/379/34 of the Indian Penal Code.

Perused the above application, materials available on record including a copy of the order, dated 10.02.2015, passed, in A.B.P. No. 573 of 2014, by the learned Sessions Judge, Khagaria, rejecting the said application for pre-arrest bail.

Heard Mr. Rakesh Chandra, learned counsel for the petitioners, and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor, appearing on behalf of 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.

Considering incriminating nature of materials 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.

Mkr./-

(I. A. Ansari, J.)

U		T	
---	--	---	--