

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40234 of 2014

Arising Out of Dinara PS.Case No. -179 of 2012 Thana -DINARA District-
SASARAM (ROHTAS)

Jag Narayan Singh , son of late Ram Briksh Singh, r/o village Narwar, P.S.
Dinara, District Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sadanand Paswan (APP)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

2 10-04-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Jag Narayan Singh, in connection with Dinara P.S.Case No. 179/2012 under Sections 420/406/504/34 of the Indian Penal Code as well as under Section 3(i)(x) of the Scheduled Caste/Scheduled Tribe Act.

Perused the above application and materials on record including a copy of the order, dated 30.05.2014, passed, in A.B.P. No. 657 of 2014, by the learned Sessions Judge, Rohtas, Sasaram, rejecting the said application for pre-arrest bail.

Heard Mr. R.K.Singh, learned counsel for the petitioner, and Mr. Sadanand Paswan, 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.

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 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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