

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47785 of 2014

Arising Out of PS.Case No. -144 Year- 2013 Thana -ALAMNAGAR District- MADHEPURA

- =====
1. Birendra Mehta Son of Late Dhiraj Mehta null
 2. Md. Nijam Son of Md. Shekh Akhtar
 3. Fakir Yadav Son of Late Takauni Yadav @ Tanuk Lal Yadav
- All resident of village- Hariharpur, Bajraha, Police Station- Alamnagar,
District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Shri Viveka Nand Singh, Advocate
For the Opposite Party/s : Shri Vinod Shankar Modi, App

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 03-03-2015 Heard.

The petitioners, who are in custody, pray for bail in connection with Alamnagar P.S.Case No. 144 of 2013 under Sections 379,etc. of the Indian Penal Code and Section 136 of the Indian Electricity Act.

Without going into the factual details of the case, suffice it to mention that similarly situated named accused

Lakshmi Yadav was granted bail by the In-charge Vacation Judge, Madhepura by order dated 18.12.2013 passed in B.P. No. 865 of 2013, a copy of the order has been enclosed as Annexure-2 to the present petition.

The submission is that the learned Additional Sessions Judge rejecting the bail prayer of the petitioners was more concerned about the maintenance of the law and order than to consider the merits of the fact, as appears the sole consideration for refusing the prayer of bail.

Regard being had to the fact that similarly situated accused Lakshmi Yadav has been admitted to bail by the learned Sessions Judge, let the above named petitioners be also released on bail on furnishing bail bonds each of Rs. 3,000/- (three thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Udakishunganj in connection with the above noted case.

(Dharnidhar Jha, J)

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