

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41896 of 2014

Arising Out of PS.Case No. -296 Year- 2014 Thana -BARHARIA District- SIWAN

- =====
1. Harendra Mahto, Son of Chhote Mahto.
 2. Ramesh Mahto, Son of Hukum Mahto, Both resident of village Sawana, P.S. Barharia, District Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Shri Naresh Prasad, Advocate

For the State : Dr. Kr. Uday Pratap, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

4 13-05-2015

Heard.

Let petitioner above named surrender in the court below and pray for regular bail as all the offences except that under Section 379 of the Indian Penal Code are bailable. The court below shall consider that there was a counter case to Barharia P.S. Case No. 296 of 2014 and the submission was that allegation under Section 379 of the Indian Penal Code was a super-addition in order to give graver look to the case.

This Court believes that the learned Magistrate who shall hear the regular bail of the petitioner consider the above submissions in their real perspective without being prejudiced by the fact that the petitioner had approached this Court under Section 438 Cr.P.C.

With the above observation, this petition stands
disposed of.

(Dharnidhar Jha, J.)

Sanjay/-

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