

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15429 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Vijay Mishra
2. Wakil Mishra,
3. Arya Bhushan Mishra,
4. Vinod Mishra,
All are sons of late Ram Lakhan Mishra,
5. Mrigendra Mishra,
6. Udaybhan Mishra,
7. Prem Mishra,
All are sons of Ramchandra Mishra,
8. Ramchandra Mishra, Son of Late Darbari Mishra,
9. Dhananjay Mishra, Son of Aryabhushan Mishra,
10. Rinku Mishra, Son of Vijay Mishra,
11. Anirudh Yadav @ Anrudh Yadav, Son of Late Akalu Yadav,
12. Durgesh Yadav, Son of Late Sajiva Yadav,
All are residents of village - Mahipur Chamawaliya, Police Station -
Bagaha, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramesh Yadav, Son of Hardev Yadav, Resident of village Mahipur
Chamwaliya, Police Station - Bagaha, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra
For the Opposite Party/s : Mrs. Indu Bala Panday (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 27-09-2016 Heard Sri Milind Kumar Mishra, learned counsel for

the petitioners and learned Additional Public Prosecutor.

12 petitioners, have approached this court invoking is

inherent jurisdiction under Section 482 of the Code of Criminal

Procedure , 1973 (hereinafter referred to as “Cr.P.C.”) with a

prayer to quash an order dated 2.9.2015 passed by learned

Additional Chief Judicial Magistrate , Bagaha, West Champaran
(hereinafter referred to as “Magistrate”) in Bagaha P.S. Case
No. 282 of 2015. By the said order the learned Magistrate has
taken cognizance of offence under Section 147, 148, 149, 341,
323, 504, 506, 386, 427 of the Indian Penal Code.

Learned counsel for the petitioners while assailing the
impugned order has placed reliance on Annexure - 2 to the
present petition to show that in respect of the same land with
same plot earlier a complaint petition was filed and it was argued
that a completely false case was instituted, by filing the present
case. Without any material, the petitioners were forwarded as
accused and the learned Magistrate in a similar manner has passed
the order of cognizance.

However, after examining the order of cognizance,
the Court is satisfied that there is no apparent error warranting
interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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