

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42547 of 2018

Arising Out of PS. Case No.-578 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

1. Umapati Pathak.
2. Ramakant Pathak.
3. Lalan Pathak.
Petitioner No.1 to 3 are sons of Mahendra Pathak.
4. Beyas Pathak @ Vyas Pathak.
5. Baldev Pathak.
Petitioner No.4 to 5 are sons of Ramraksha Pathak.
6. Bidya Pathak @ Bidya Sagar Pathak.
7. Suresh Pathak.
8. Sunil Pathak.
Petitioner No.6 to 8 are sons of Umapati Pathak.
9. Jhunjhun Pathak @ Rajiv Pathak, son of Beyas Pathak @ Vyas Pathak.
All residents of Village- Dumritola Bharpatiya, Police Station-
Piprasi, District- West Champaran at Bettiah

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Upadhyay Saurabh Kumar, Advocate.
For the State	:	Smt. Nirmala Kumari, A.P.P.
For the Complainant	:	Ms. Mallika Majumdar, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-07-2018

Heard.

The petitioners apprehend their arrest in connection with Tr. No.2236 of 2018, arising out of Complaint Case No.C-578 of 2017, registered under Sections 147, 148, 149, 323, 341, 395, 436, 501 and 120(B) of the Indian Penal Code.

The accusation is that the petitioners along with others, accompanied by the Officer Incharge of Piprasi Police Station,



reached at the house of the complainant Bihari Bhar and called him. When the complainant came out of the house, he was abused and the officer Incharge also ordered to cause assault him and set his house on fire. Thereafter, the house of the complainant burnt to ashes.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the petitioner no.6 Bidya Pathak @ Bidya Sagar Pathak lodged Piprasi P.S. Case No.28 of 2017 on 23.07.2017 under Sections 147, 149, 341, 323, 324, 379, 504 and 506 of the Indian Penal Code against the complainant and his other family members and, thereafter, only to put undue pressure upon the petitioners and also upon the police officials, the complainant has filed the present complaint case with false allegation.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Bagaha, West Champaran at Bettiah, in connection with Complaint Case No.C-578 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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