

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9634 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- GAUNAHA District- West Champaran

1. PUSHPA DEVI Wife of Vijay Patwari Resident of Village - Tahkaul, P.S-Gaunaha, Dist.-West Champaran.
2. Dharmendra Kumar Mahto @ Dharmendra Mahto Son of Mani Mahto Resident of Village - Tahkaul, P.S-Gaunaha, Dist.-West Champaran.
3. Deep Narain Patwari Son of Late Ramyad Patwari Resident of Village - Tahkaul, P.S-Gaunaha, Dist.-West Champaran.
4. Vijay Patwari Son of Bali Patwari Resident of Village - Tahkaul, P.S-Gaunaha, Dist.-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2019 Heard both sides.

The petitioners apprehend their arrest in Gaunaha P.S. case No. 101 of 2018 registered under Section 353, 385, 427, 506 & 34 of the Indian Penal Code.

The informant, Member of Ward No. 12, alleged that while she was getting construction work done, Pushpa Devi, petitioner No.1, Member of Ward No. 13, and others came and damaged the construction work due to non fulfillment of demand of extortion.

The learned counsel for the petitioners submits that petitioner No.1 is Member of Ward No. 13 and petitioner Nos. 2



to 4 are residents of Ward No. 13. They objected the work undertaken by the informant in the region of Ward No. 13 and that is why the petitioners made protest but the informant lodged the case making false allegation of demand of extortion. It is submitted that from perusal of Annexure-2, it would appear that Mukhiya wrote letter to the B.D.O. about the dispute for construction work in the region of Ward No. 13.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 101 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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