

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13331 of 2017

Arising Out of PS.Case No. -279 Year- 2016 Thana -BALIA District- BEGUSARAI

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1. Nitin Sharma S/o- Sahdeo Sharma
2. Sanjay Sharma @ Sanjay Kumar Sharma S/o Sahdeo Sharma
3. Pramod Kumar Tamboli, S/o- Shyam Tamboli
4. Bablu Sah, S/o- Dewendra Sah, 1 to 3 are Resident of Village- Chhoti Balia Bazar, while 4 is Resident of Bhagatpur, All are of under P.S.- Balia, District- Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 13-07-2017 Heard both sides.

The petitioners apprehend their arrest in Ballia P.S. Case No. 279 of 2016 registered for the offences punishable under Sections 307, 353 and other Sections of the Indian Penal Code.

The informant constable alleged that he along with another constable Amit Kumar were going to market for maintaining the law and order and for keeping watch on a bank. When they reached near the high school there was traffic jam. The informant started to clear the road but two motorcyclists came and parked their motorcycles on middle of the road. Sunny Sharma the motorcyclists assaulted the informant with fists and slaps when the



informant forbade him, he along with his brother and others assaulted the informant and other constable.

Learned counsel for the petitioners submits that there is no specific allegation made against the petitioners. The informant did not receive any injury but from perusal of the FIR and the case diary it appears that almost all the constables have supported the fact that the petitioners along with Sunny Sharma assaulted the informant constable Munna Kumar and Amit Kumar because they were clearing the traffic jam.

Considering the facts aforesaid and nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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