

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20491 of 2018

Arising Out of PS.Case No. -304 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

1. Shyam Nandan Sharma, son of Late Ramashish Singh @ Ramashish Sharma.
2. Jay Nandan Sharma @ Jay Sharma, son of Late Baliram Sharma.
3. Nagendra Sharma, son of Late Ramanuj Sharma.
4. Murari Sharma @ Shailendra Sharma, son of Late Ram Lakhan Sharma.
5. Awadhesh Sharma, son of Late Nanhku Singh @ Nand Kishor Sharma.
6. Satyendra Sharma, son of Late Parma Nand Sharma.
7. Banke Sharma @ Banke Bihari Sharma, son of Late Sakaldeep Singh (wrongly written as Parma Nand Sharma in FIR)
8. Shyam Kishor Sharma @ Shyam Kishor, son of Late Baij Nath Sharma.
9. Devan Sharma @ Deo Bansh Sharma, son of Late Sidheshwar Singh. (wrongly written as Maheshwar Sharma in FIR).
10. Bachchu Yadav @ Buchu Yadav, son of Raj Mohan Yadav.
11. Nagendra Sharma, son of Kishori Singh @ Babu Kishor Singh.
12. Ramakant Sharma, son of Late Laxmi Singh (wrongly written as Medni Singh in FIR).
13. Brij Bihari Sharma, son of Late Medni Singh, (wrongly written as Medni Singh in FIR).
14. Satish Sharma, son of Late Arjun Sharma @ Arjun singh.
15. Upendra Sharma, @ Upendra Kumar, son of Late Ram Pravesh Sharma.
16. Surendra yadav @ Surendra Kumar, son of Raj Mohan Yadav.
17. Umesh Sharma, son of Late Yugal Singh.
18. Siyaram Sharma, son of Ramashray Shrama.
19. Ram Pravesh Sharma, son of Late Ram Kishun Singh.
20. Bhagwan Sharma, son of Late Baleshwar Sharma.
21. Gopal Sharma, son of Ram Pravesh Sharma.

All are resident of village- Chand, P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s



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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the State : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 14-08-2018

The defects, as pointed out by the Registry, are ignored.

2. This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for quashing of Makhdumpur P.S. Case No. 304 of 2017 registered for the offences punishable under Sections 16, 17, 18, 19 and 20 of the bounded Labour System (Abolition) Act, 1976 (for short 'the Act').

3. I have perused the first information report of aforestated Makhdumpur P.S. Case No. 304 of 2017, as contained in Annexure-1 to the present application. The allegations made therein do attract ingredients of the offence alleged under Section 16 of the Act. The offences prescribed under the Act have been made cognizable under Section 22 of the Act.

4. To hold investigation into a cognizable offence is the statutory duty of the police. Under such circumstance, if the police have instituted first information report and proceeded for investigation of the case, no illegality can be found with the action of the police.

5. Accordingly, the application, being devoid of any merit,



is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.08.2018
Transmission Date	19.08.2018

