

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4908 of 2023

Arising Out of PS. Case No.-49 Year-2016 Thana- SONO District- Jamui

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SANJAY RAI @ SANJAY KUMAR S/o Baikunth Rai R/o village- Sono, PS-
Sono, Distt- Jamui, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 17-08-2023 Heard learned counsel for the parties.

2. This application has been filed for quashing of the order dated 29.11.2022 passed in Session Trial No. 417/2022, arising out of Sono P.S. Case No. 49 of 2016 by which learned Addl. Sessions Judge- III, Jamui has rejected the petition filed by the petitioner and further date of framing of charge is fixed which is presently pending.

3. As per prosecution case, one Deepak Kumar, Officer-in-charge of the Sono Police Station submitted a report before learned Chief Judicial Magistrate, Jamui on 23.04.2016 alleging that on the date of occurrence he was engaged in vehicle checking to maintain law and order for



Panchayat Election, along with other police forces, he got information that nuisance is being created by two groups of contesting parties in election. It is further alleged that some named persons from one group along with others, are involved in creating nuisance on the place of occurrence and some of them started firing but thereafter seeing the police they fled away. It is further alleged that persons from both sides variously armed with weapons gathered there with intention to violate law and order and they are creating nuisance and due to pelting stones some persons became injured. On the basis of aforesaid written report Sono P.S. Case No. 49/2016 has been lodged.

4. It has been submitted by learned counsel for the petitioner that the petitioner is a practicing lawyer of the Patna High Court and he has falsely been implicated in this case and no material has come during investigation in support of his allegation.

5. Learned APP has also not been able to support the allegation.

6. Considering the aforesaid fact, the prosecution of the petitioner by order dated 29.11.2022 passed in Session Trial No. 417/2022, arising out of Sono P.S. Case No. 49 of 2016 is hereby quashed with regard to the petitioner only.



7. So far as other co-accused are concerned, they will
face the prosecution.

(Sandeep Kumar, J)

Ranjeet/-

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