

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34205 of 2015

Arising Out of PS.Case No. -147 Year- 1999 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Lalan Sonar S/o Late Shiv Narayan Sah
 2. Krishana Sah S/o Late Pahaladha Sah
 3. Tarkeshwar Sah S/o Pahaladha Sah All R/o Mohalla Turahapatti, P.S. Bettiah Town, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-08-2015 This application under Section 482 of the Code of Criminal Procedure has been filed on behalf of the petitioners for quashing the order dated 09.06.2015 passed in Sessions Trial No. 44 of 2000 arising out of Bettiah Town P.S. Case No. 147 of 1999, whereby the court below has rejected the petition dated 26.06.2015 filed under Section 311 of the Code of Criminal Procedure for summoning P.W. 7 Mr. Manoj Kumar for further cross examination.

Learned counsel for the petitioners submits that though the case is fixed for argument, further cross-examination of P.W.- 7 is necessary in the interest of justice.

On the other hand learned counsel for the State has submitted that it would be evident from the order passed by the court below that no reason has been assigned as to why further cross examination of P.W.-7 is deemed to be necessary. He further submits that the trial court has rightly recorded in the impugned order that the application has been filed just to delay the trial.

Heard respective counsel for the parties and perused the record.

In my view, there is no error in the order passed by the court below, as no reasonable cause has been shown for summoning P.W.-7 at such a belated stage.

Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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