

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53157 of 2013

Arising Out of PS.Case No. -249 Year- 2012 Thana -MOHANIA District- BHABHUA (KAIMUR)

The State Of Bihar

.... Petitioner

Versus

1. Abhishek Trivedi, S/O Late Sanjay Trivedi, resident of Village- Muthani, Police Station- Mohaniya, District- Kaimur at Bhabhua.
2. Alok Trivedi @ Alok Kumar Trivedi, S/O Late Sanjay Trivedi, resident of Village- Muthani, Police Station- Mohaniya, District- Kaimur at Bhabhua.

.... Opposite Parties.

Appearance :

For the Petitioner : None
For the Opposite Parties : Mr. Rajesh Kumar Pathak, Advocate.

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 15-04-2015 No one appeared on behalf of the petitioner-The State of Bihar.

Learned counsel for the opposite parties submits that the evidence of all non-official witnesses has gone and the case is only pending for the evidence of the Investigating Officer.

However, though the allegation about the threat to the informant and his family members, a report has been annexed. However, the report mentioned an enquiry from the informant and his family members and no independent witness has been enquired with regard to the allegation.

Learned counsel for the opposite parties submits that a

petition has been filed regarding threat to the informant and his family members but no case has been filed in this regard and it is submitted that earlier also a similar type of petition was filed vide Cr. Misc. No. 50370 of 2013 in Cr. Misc. No. 46413 of 2012, which was rejected with liberty to the petitioner-The State of Bihar to file a similar petition with all supporting documents before the learned trial court who shall enquire into the matter.

In that view of the matter, the petition is disposed of with liberty to the petitioner-The State of Bihar to raise issue in the trial court. Moreover, with regard to fact that the evidence of all non-official witnesses has gone, I find no merit in this petition. Accordingly, the petition is disposed of.

U.K./-

(Gopal Prasad, J)

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