

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1138 of 2012

Arising Out of Sadar Mufassil P.S. Case No. -113 Year- 2010 District- GAYA

Raju Yadav, S/O Dilip Yadav, Resident Of Village Bara, P.S. Mufassil, District Gaya.

.... Petitioner/s

Versus

1. The State Of Bihar
 2. Gaya Yadav, son of Sahdeo Yadav, r/o village Bara, P.S. Mufassil, Distt. Gaya.
 3. Kapil Yadav
 4. Dilip Yadav
- Both r/o village Bara, P.S. Mufassil, Distt. Gaya.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Gautam Kejriwal, Adv.
Mr. Akash Chaturvedi, Adv.
For the State : Mr. P.K. Jha, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-02-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 23.8.2012 by which the Fast Track Court No. 3, Gaya, has closed the defence case in Sessions Trial No. 19 of 2011 arising out of Gaya Sadar Mufassil P.S. Case No. 113 of 2010 by which it has rejected a prayer for examination of defence witness.

It is asserted by the Petitioner that the case is still at that very stage.

Considering that a Court should not weigh the lapses of any Party but try to do justice in their interest, the Trial Court is

directed to give three dates for the three witnesses within the next three weeks from the date of receipt of this order. If the Petitioner is unable to produce the witness on the given date, no second date shall be given. Since the Opposite Party No. 2 is present here, he takes notice of this order and shall not plead further adjournment in reply.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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