

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8475 of 2013

Arising Out of PS.Case No. -98 Year- 2001 Thana -MEHANDIA District- -Arwal

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Ram Pravesh Singh, Son of Late Jawahir Singh, Resident of Village
Laxmanpur Bathe, P.S. Mehandia (Parasi), District Arwal.

.... Petitioner

Versus

1. The State of Bihar.
2. Satrugan Singh, Son of Late Ramgati Singh, Resident of Village
Laxmanpur Bathe, Tola Sahaibigha, P.S. Parasi, District Arwal.

.... Opposite Parties

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Appearance :

For the Petitioner : Shri Vinay Mistry, Advocate
For the State : Shri Rajesh Kumar, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

6 06-05-2015

After having heard the learned counsel appearing on behalf of the petitioner as also the learned counsel appearing on behalf of O.P. No. 2 and after going through the impugned order dated 07.03.2011 passed by the learned Judicial Magistrate, 1st Class, Jehanabad in G.R. Case No. 1673 of 2001, the Court finds the impugned order perfectly passed because Section 311 Cr.P.C. does not permit of exercising that particular extraordinary power by any court in order to receiving documentary evidence. Admittedly no witness was either prayed to be summoned or recalled for evidence or for cross-examination.

The petition appears meritless and the same is dismissed. Let the trial court proceed with the trial on day to day basis.

(Dharnidhar Jha, J.)

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