

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21531 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- SAMASTIPUR

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1. Ramesh Rai son of Ram Naresh Rai
 2. Ram Naresh Rai son of late Ram Lalit Rai
 3. Rekha Devi wife of Ram Naresh Rai, all resident of village Bhirha, P.S. Rosera, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Maniya Devi @ Renu Devi wife of Ramesh Rai, D/o Yogendra Rai, resident of village Aakopur, P.S. Cheria Bariyarpur, Dist. Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kr., APP

For Opposite party No.2 : Ms. Mira Kumari, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 13-07-2015

The Petitioners seek quashing of the order dated 3.5.2011 passed by the Additional District and Sessions Judge, Rosera, District Samastipur in Criminal Revision No.70 of 2009, by which he has affirmed the order dated 23.1.2009 passed by the Judicial Magistrate, 1st class, Rosera in C.R. No.506 of 1998 (Trial No.27 of 2009), by which he has ordered to amend the charge at the stage of argument.

Since it is well within the powers of a Trial Judge to do so on appreciation of the evidence recorded, I find no justification for interference. The Application stands dismissed.

The Trial Court is directed to conclude the trial expeditiously

without granting unnecessary adjournments to any party, for which he shall send a list of the witnesses fixing specific dates for each witnesses for their examination along with a copy of this order to the S.P., Samastipur, who is directed to ensure the attendance of the witnesses on the date fixed by the Trial Court so that there is no further delay in the trial.

The Counsel for the Opposite Party No.2 appears and undertakes to present the witnesses on the dates fixed if still required.

(Anjana Prakash, J)

Narendra/-

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