

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35083 of 2008

Arising Out of Complaint Case No. 393 Year- 2006 District- MUZAFFARPUR

Yadubir Shrivastava @ Yadubir Prasad Srivastava, son of late Ramchandra Prasad Srivastava, resident of Mohalla Atardah, P.S. Sadar, Distt. Muzaffarpur.

.... Petitioner/s

Versus

1. The The State of Bihar
2. Lalan Prasad Karn, Branch Manager, Bihar State Finance Corporation, Sahay Campus, Chata Chowk, P.S. Kazi Mohammadpur, Distt. Muzaffarpur.
3. Arun Kumar Srivastava @ Munnajee, son of late Ramswaroop Prasad, permanent resident of Bisanpur, P.S. Sahibganj, Distt. Muzaffarpur.
4. Naveen Kumar Sinha, son of Ramrekha Prasad, resident of Mohalla Orient Club, Manajee Dry Cleans Gali Aamgola, P.S. Kazimohammadpur, Distt. Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Jha, Adv.
Mr. Vinod Kumar Seth-I, Adv.

For the State : Mr. B.P. Sinha, A.P.P.
For the Opposite : Mr. U.S. Verma, Adv.
Parties No. 3 and 4 : Mr. B.K. Mishra, Adv.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 26-06-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 13.4.2006 passed by the Chief Judicial Magistrate, Muzaffarpur, in Complaint Case No. 393 of 2006.

Since the Petitioner seeks quashing on questions of fact which cannot be gone into at the stage of 482 Cr. P.C., I am not inclined to interfere in the matter.

The application stands dismissed.

The Trial Court is directed to conclude the trial expeditiously without granting unnecessary adjournment to any Party for which reason, he is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order in connection with Complaint Case No. 393 of 2006, to the Superintendent of Police, Muzaffarpur, and the Superintendent of Police, Muzaffarpur, is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

The counsel for the BSFC undertakes to be more vigilant during Trial.

(Anjana Prakash, J)

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