

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19279 of 2012

Arising Out of PS.Case No. -58 Year- 2011 Thana -null District- MADHEPURA

1. Ram Tapeswar Mishra S/O Late Kishori Mishra R/O Village - Morsand, Police Station - Runnisaidpur, District - Sitamarhi

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. A.K.Thakur, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-02-2015

The Petitioner seeks quashing of the order dated 23.4.2012, by which the Judicial Magistrate, 1st class, Madhubani has closed the defence evidence in Trial No.58 of 2011 without supplying police papers to the Petitioner.

The submission of the Petitioner is that now police papers have been supplied to him and, therefore, he should be given an opportunity to lead the evidence. Also those documents, which have not been furnished to him, shall not be permitted to be proved by the prosecution.

It is well established law that any document which has not been furnished to the accused persons cannot be permitted to be read in evidence.

The Court below shall fix two dates for evidence within fifteen days of receipt of this order. If the Petitioner fails to produce the evidence on the said dates, the matter shall stand closed without further indulgence.

With these observations, the application stands disposed of.

(Anjana Prakash, J)

Narendra/-

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