

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6921 of 2013

Arising Out of PS.Case No. -4 Year- 1998 Thana -UJIYARPUR District- -

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1. Ram Krishna Sah S/O Sri Shivji Sah Resident Of Village- Jawaharpur,
P.S- Ujiarpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Kuldeep Sah S/O Late Ram Swaroop Sah Resident Of Village-
Jawaharpur, P.S- Ujiarpur, District- Samastipur.
3. Ram Narayan Sah S/O Late Meghu Sah Resident Of Village- Jawaharpur,
P.S- Ujiarpur, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Manoj Kumar 1(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 05-05-2015

Heard.

The petitioner seeks intervention of this Court by issuing a direction to the court below to reconsider the petition under Section 319 Cr.P.C. The Court refers to the Supreme Court decision in the case of **Michael Machado & Anr. V. CBI & Anr. 2000(3) SCC 262** which has considered all earlier decisions of the Apex Court and had laid down that if the order is sought to be made quite belatedly almost at the fag end of the trial, then the Court should be very slow in passing an order of summoning an additional accused. The order was passed on 22.12.2012 in the trial which was registered in the year 2003. As appears from the

very order, the case was posted for hearing arguments of the parties. At this belated stage of the proceeding, this Court is not inclined to consider the prayer of the petitioner. The petition is dismissed with a direction to the court below to take up the hearing of the case as per law.

(Dharnidhar Jha, J)

B.Kr./-UK

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