

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15269 of 2012

Arising Out of PS.Case No. -42 Year- 2009 Thana -null District- MUZAFFARPUR

- =====
1. Uday Kumar Patel @ Uday Patel @ Udai Patel,
 2. Ajay Patel, S/O Late Jagarnath Patel, both resident of village- Jafarpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

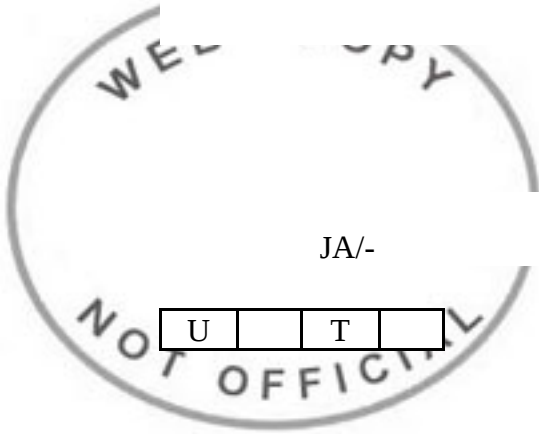
Date: 10-02-2015

The Petitioners seek quashing of the order dated 24.03.2012 passed by the 5th Additional Sessions Judge, Muzaffarpur, in Sessions Trial No.410 of 2010 arising out of Paroo P.S. Case No.42 of 2009 by which he has allowed the application under Section 311 Cr. P. C. filed on behalf of the prosecution for examination of two witnesses, who were charge-sheet witnesses.

On going through the Case Diary, the learned APP finds it difficult to oppose the prayer of the Petitioners on the ground that they were not examined under Section 161 Cr. P. C. However, considering that such a prayer has already been allowed, the application is disposed off with direction to the Trial Court to give only two dates for their examination. If the witnesses fail to appear on the dates so fixed, the trial shall proceed and be concluded

without granting unnecessary adjournment to any party.

The application stands disposed off.



(Anjana Prakash, J)