

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42691 of 2012

1. Siya Lal Rai S/O Maithuri Rai Resident Of Village- Chandpur, P.S.-
Patori, District- Samastipur

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Satyavrat Verma(App)

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 14-05-2015 The scope of this criminal miscellaneous application is limited. The petitioner submitted a complaint before the police which resulted in S.T. No. 894/07 + 531/08 before the 2nd Additional Sessions Judge, Samastipur.

2. After the chargesheet was filed, the petitioner filed an application before the trial court stating that the address of one of the witnesses is not properly furnished, and he sought amendment thereof. The learned Public Prosecutor also informed the trial court that he did not intend to examine the said witness at all. The trial court rejected the petition filed by the petitioner through order 10-7-2012. The same is under challenge.

3. Heard learned counsel for the petitioner and learned

counsel for the State.

4. Once the Public Prosecutor happens to supervise and control the proceeding before the trial court, it is for him to choose witnesses that are examined in a case. The petitioner cannot insist that a particular person, whether or not named in the chargesheet, must be examined in a case.

5. I do not find any basis to interfere with the impugned order. This criminal miscellaneous application is, accordingly, rejected.

(L. Narasimha Reddy,CJ)

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