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**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 930 of 2015**

Shatrughan Nishad, S/o. Late Chhabinath Nishad, Aged About 54 Years, R/o. Village Achholi, Near Gandhi Chowk, Post Office- Raipur, Police Station- Urla, Tahsil & District Raipur, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station- Urla, Raipur, District Raipur, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Shivendu Pandya, Advocate

For State/Respondent : Mr. Ashish Shukla, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri****Order on Board****16/10/2015**

1. The instant petition is against the order dated 07.09.2015 passed by the Eighth Additional Sessions Judge, Raipur, in Sessions Trial No.95/2015, whereby, the application moved under Section 311 of Cr.P.C. has been dismissed by which the applicant wanted to re-examine one witness Rahul Mourya, who was examined as PW-2.
2. Learned counsel for the applicant submits that the applicant who is an accused also sustained grievous injury in the free fighting, therefore, certain questions are required to be asked to the prosecution witness Rahul Mourya.
3. Reading of the order reflects that the learned Court below has already granted implied permission to the applicant that in case it is felt then the applicant would be at liberty to call the witness Rahul Mourya as a defence witness. Therefore, no prejudice would be caused and even otherwise the applicant is at liberty to call the said Rahul Mourya as defence witness by summoning him by process of Court.
4. With such observation, the petition stands disposed off.

Sd/-

**(Goutam Bhaduri)**  
JUDGE