

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40261 of 2014

Arising out of P.S. Case No. - 374 Year - 2011 Thana - DARBHANGA SADAR District - DARBHANGA

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Deepak Kumar Roy @ Deepak Roy @ Deepak Kumar, Son of Late Bindeshwar Prasad Roy, Resident of Village - Chhapki Parri, P.S. - Darbhanga Sadar, District - Darbhanga (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate

For the Opposite Party : Mr. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 23-02-2016

A report has been called for in which it has been reported that 11 witnesses have already been examined by the prosecution and Aanshu Kumar has been examined as P.W.1. However, P.W. 1 was discharged on 23.03.2013 without being cross-examined as none appeared on behalf of the defence to cross-examine him and thereafter the defence has filed a petition for cross-examination of P.W.1 which has been allowed and so the delay is due to the petition of the defence for cross-examination of P.W.1. It has further been reported that the Court will try best to conclude the trial of this case within two months.

Hence, having regard to the fact that 11 witnesses have already been examined and the case is at the fag end of the trial and the delay is due to the petition filed by the defence for

cross-examination of P.W.1 as he was not examined due to non-appearance of the learned counsel for the defence.

Hence, I do not find any merit in the petition which is, accordingly, dismissed with a direction to the trial Court to proceed in accordance with law for early disposal of the case at the earliest.

(Gopal Prasad, J)

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