

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24417 of 2016

Arising Out of PS.Case No. -55 Year- 1995 Thana -DAUDNAGAR District- AURANGABAD

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Birendra Yadav, son of Bhagwan Yadav, Resident of Village Bhagwan Bigha, P.S.- Daudnagar, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Siya Ram Prasad, son of Ram Chander Ram, resident of village Bhagwan Bigha, P.S.- Daudnagar, District- Aurangabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate

For the Opposite Parties : Mr. Rajendra Pd.Nat(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 04-08-2016 Heard learned counsel for the petitioner, learned counsel for the informant as well as learned Additional Public Prosecutor.

Petitioner is an accused and he is aggrieved by the order dated 10.05.2016.

It has been submitted on behalf of petitioner that the case of the defence has been closed by the order impugned while from perusal of the order dated 10.05.2016, it is evident that the case of the prosecution has been closed. The certified copy having been placed happens to be the photocopy of the relevant order. Furthermore, the genuineness of the aforesaid finding is found from earlier order also that means to say the order dated

05.05.2016 wherein also, there happens to be incorporation of the fact “*prosecution to produce witnesses*” and the same fact is also incorporated in the orders dated 02.05.2016, 27.04.2016, 25.04.2016, 20.04.2016. Therefore, the probability of closure of prosecution case by the order impugned appears to be more plausible.

Accordingly, petitioner has nothing to apprehend as he will get ample opportunity in his defence.

With the aforesaid observation, the instant petition is disposed of.

(Aditya Kumar Trivedi, J.)

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