

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37419 of 2016

Arising Out of PS.Case No. -303 Year- 2010 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Renu Devi Wife of late Manish Kumar Poddar Resident of Manjhaul
,Acchilal Sahani tola Police Station Cheria, Bariarpur in the district of
Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Adv.
Mr. Amrit Anunay, Adv.

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is challenging an order
dated 8.7.2016 by which the court below has allowed for
examination of the witnesses.

A plea has been taken by the petitioner that after the
closure of the evidence of the prosecution and the stage of 313
Cr.P.C. was also over, the case of the petitioner was placed for
argument but, before the argument could have been commenced,
the application under Section 311 of the Cr.P.C. was filed and the
court below allowed the examination of the prosecution witnesses
in the interest of justice.

Section 311 of the Cr.P.C. provides a very broad power to the trial court and, in the ends of justice, even before delivery of judgment, the trial court can allow the examination of witnesses.

This Court does not find any illegality in the order dated 8.7.2016 passed by Additional Sessions Judge, VIII, Begusarai but, it goes without saying that the petitioner will be at liberty to cross-examine the witnesses who will be examined from the side of the prosecution.

With the aforementioned observation, this application is dismissed.

(Shivaji Pandey, J)

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