

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2409 of 2016

Arising Out of PS.Case No. -66 Year- 2008 Thana -PATRAKARNAGAR District- PATNA

Dhirendra Kumar, S/o Late Arjun Prasad, R/o Mohalla- Dwarikapuri Road
No.1, Hanuman Nagar, P.S- Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Rajendra Pd.Nut(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 26-08-2016 Heard Sri Udit Narayan Singh, learned counsel assisted
by Sri Gajendra Kumar Singh, learned counsel for the petitioner
and learned A.P.P.

The present petition has been filed neither by the State
nor by the informant but brother of the deceased against an order
dated 5.12.2015 passed by learned Additional Sessions Judge- IV,
Patna in Sessions Trial No. 795 of 2014 (arising out of Patrakar
Nagar P.S. Case No. 66 of 2008). By the said order the learned
Sessions Judge has rejected the petition filed by learned
Additional Public Prosecutor under section 311 of the Cr.P.C.
whereby a prayer was made to recall P.W. 1 who was examined
and after cross -examination finally discharged.

Learned counsel for the petitioner submits that in

examination- in- chief certain relevant facts were not asked from the P.W. 1 and as such it was necessary whereas on going through the impugned order it is evident that no specific point was mentioned in the petition for re-examination.

In view of the facts and circumstances I do not find any ground to interfere with the order impugned.

The petition stands dismissed.

(Rakesh Kumar, J)

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