

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1356 of 2016

Arising Out of PS.Case No. -120 Year- 2006 Thana -BANKA District- BANKA

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Baijnath Singh son of late Ram Prasad Singh, resident of village Bhansiabhitha, Police Station Barahat, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gayatri Devi wife of Bishnudeo Rai, resident of village Bhansiabhitha, Police Station Barahat, District Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Subash Chandra Mishra (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is challenging the order dated 30.06.2015 passed in S.Tr. No. 231 of 2010.

An application was filed for addition of charge for offence under section 376 of the Indian Penal Code.

The court below after considering the facts and circumstance of the case, framed the charge under section 376 of the Indian Penal Code.

The counsel for the petitioner has made allegation of mala fide which cannot be seen at this stage but court below has ample power under section 216 of the Cr.P.C. to modify the

charge at any stage of the trial.

This Court does not find any error in the impugned order. Accordingly, this petition is dismissed. The court below is directed to conclude the trial without unnecessary delay.

(Shivaji Pandey, J)

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