

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.171 of 2015

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1. Ghanshyam Das @ Tanti S/o Ram Prasad Tanti, Resident of village- Tulapati, P.S.-
Pipra, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Mahanti Tanti S/o Late Musal Tanti, Resident of village- Tulapati, P.S.- Pipra,
District- Supaul

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore, Adv

For the Respondent/s : Ms. Sahin Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 07-03-2017

The petitioner is aggrieved by order dated 28.11.2014
passed in S.T. No. 47 of 2010/ 1933 of 2014 in connection with Pipra
P.S. Case No. 144 of 2008 whereby, learned Additional Sessions
Judge 1st, Supaul, has rejected an application filed on behalf of the
petitioner for summoning the Doctor and the Investigating Officer for
being examined on behalf of the prosecution.

The petitioner is the informant of the said Pipra P.S.
Case No. 144 of 2008 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324 and 504 of the Indian Penal
Code.

I have perused the impugned order from which it



appears that the matter was put up for pronouncement of the judgment when the petitioner filed application for issuance of summons to the Investigating Officer and the Doctor. The learned court below has recorded that enough opportunity was given before closure of prosecution evidence to examine Investigating Officer and the Doctor and summonses, Bailable Warrants and Non Bailable Warrants of arrest had been issued.

In such circumstance, I do not find any illegality in the impugned order. Secondly, it appears that this application has become infructuous as there was no stay granted by this Court. Learned counsel for the petitioner is not in a position to inform this Court as to whether judgment has been delivered by the court below or not. I do not find any reason why the judgment would not have been delivered by now after lapse of two years from the date when the matter was placed for judgment.

This application is meritless and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
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