

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.569 of 2017

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1. Sunil Yadav, son of Late Baijju Yadav,
2. Gaurav Kumar, son of Sunil Yadav,
Both resident of Tulshi Mandi, P.S.- Alamganj, District- Patna.
3. Ratan Gope, son of Jagdish Yadav, resident of Mohalla- Chit toli, P.S.-
Chowk, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Digamber Kr. Singh

For the Respondent/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 18-05-2017 Heard learned Counsel for the petitioners and

the learned Additional Public Prosecutor representing the

State.

The petitioner has challenged the order, dated
26.04.2017, passed, by learned Additional Sessions Judge
IV, Patna City, Patna, in Sessions Trial No. 842 of 2013,
arising out of Chowk Police Station Case No. 91 of 2012,
registered for the offences punishable under Sections
302/120B/34 of the Indian Penal Code and Section 27 of
the Arms Act, 1959.

I have perused the impugned order. On perusal
of the impugned order, I find that with similar prayer, the



petitioner had earlier filed an application, under Section 294 of the Code of Criminal Procedure, 1973, read with Sections 76 and 77 of the Evidence Act, to call upon the informant and his lawyer and Additional Public Prosecutor to admit or deny the genuineness of the certified copies of the judgment of Sessions Trial No. 888 of 2001, First Information Report thereof, bearing Alamganj Police Station Case No. 131 of 2000 and order sheets of Sessions Trial No. 848 of 2012 from 15.03.2012 to 08.03.2013, for marking them as exhibits in the said case.

The said application was rejected by the order, dated 15.04.2017. The petitioner did not challenge the said order, dated 15.04.2017, and with same prayer, he filed another application on 20.04.2017, for marking the certified copies of the said documents as exhibits. Learned Additional Sessions Judge IV, Patna City, Patna, by the impugned order, dated 26.04.2017, rejected the application on the ground that he could not reconsider the prayer for marking the said documents as exhibits, which was earlier rejected.

Since, the order, dated 15.04.2017, was not assailed, learned Court below rightly rejected the petitioner's subsequent application, dated 20.04.2017, for the same purpose.



I do not find any illegality in the impugned order. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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