

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1219 of 2015

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Nag Narain Prasad Singh son of late Mahendra Prasad Singh, Resident of
Mohalla- Chota Telpa P.S. Chapra Town, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar Through The Law Secretary, Govt. of Bihar Patna.
2. Prof. Ravi Pratap Singh Son of late Radha Mahdavi Singh, Resident of
Mohalla- Dahiyawa Tola, South of Saran Academy , PS Chapra Town
District Chapra (Saran)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha, Adv.
For the Respondent/s : Mr. Ritesh Kumar(SC-33)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 27-07-2018 The grievance of the petitioner in the present case is

that the trial of the complaint case no. 1408 of 2012 bearing Trial

No. 3072 of 2014 is pending for last 4 years at the stage of

evidence before charge.

Learned counsel for the petitioner submits that

despite the fact that the petitioner is going ready with the

witnesses for the purpose of deposition but for one reason or

another the witness is being returned under the influence of the

other side.

Learned counsel for the State is present.

In the nature of the submissions made before this

Court, the learned Court below is directed to ensure that the witness



(s) produced by the complainant is not returned without recording his deposition. The Court below is not required to be reminded that this Court as well as the Hon'ble Apex has always taken a view that the witness coming to the Court should not be returned. It will be the duty of the learned trial Court to ensure it otherwise if it is brought to the notice of the Court in future that the witness produced by the complainant was returned only because the other side was not ready or not cooperating, the same shall be taken seriously.

If the complainant cooperates and brings evidence as well as presents his case on the dates fixed in the matter the trial of the case be concluded within a period of six months, however, in case it is found that the complainant or the accused is not cooperating in early conclusion of the trial the Court must impose cost against them in such circumstance.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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