

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15415 of 2015**

Arising Out of PS.Case No. -150 Year- 2011 Thana -ATRI District- GAYA

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1. Shiv Pujan Singh @ Sheo Pujan Kumar Singh Son of Ramesh Singh  
Resident of village - Hario, Police Station - Bodh - Gaya, District - Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mrigendra Pratap Singh

For the Opposite Party/s : Mr. T.N.Thakur(App)

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      09-03-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

This application has been filed for quashing the order dated 06.02.2015 passed by the learned Additional Sessions Judge VIII, Gaya in S.Tr. No. 90/14 / 158/12 by which the application filed by the petitioner under Section 216 Cr.P.C. was rejected.

A report has been called for from the court below which has been received. From the report, it appears that altogether nine witnesses have been examined on behalf of the prosecution and after amendment of charge on 04.09.2015 only three prosecution witnesses are left for further cross examination on recall. The non-bailable warrant has been issued on 25.01.2018



against the witnesses. The court below has submitted that if the prosecution co-operate and produce rest of the witnesses, the case will be disposed off within six months.

Therefore, this Court find from the report of the court below that after rejection of the aforesaid petition under Section 216 Cr.P.C. the charge has been amended. The three witnesses have already been examined and only three witnesses are left for further cross-examination after amendment of charge. Therefore, this Court does not deem it fit to interfere with the impugned order at this stage.

This application is therefore disposed of with direction to the court below to expedite the trial in accordance with law and make efforts to dispose of the same as early as possible preferably within a period of six months from the date of receipt of a copy of this order.

**(Sanjay Priya, J)**

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