

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.484 of 2015

=====

1. Suresh Kumar Mandal Son of Late Dukhari Mandal
2. Kiran Devi, W/o Suresh Kumar Mandal both resident of Mohalla -
Chunbhatti, P.S. - L.N.M.U., District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan
For the Respondent/s : Mr. Nityanand(App)

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-01-2018 The petitioner is aggrieved by the order dated 29.04.2015 passed by the learned 2nd Additional Sessions Judge, Darbhanga in S.Tr. No. 14/2009, whereby the prayer made on behalf of the petitioner for recalling P.W. 1, viz. Malti Devi, for further examination, has been refused.

The record reveals that P.W. 1, Malti Devi was examined, cross-examined and discharged on 23.11.2009 and the petition seeking her recall has been filed after a lapse of about four years. The reason assigned in the application seeking recall is that some important questions were left to be put to the aforesaid witness in the examination-in-chief.

This cannot be a ground for recalling a witness after she has been discharged four years ago. The trial court has rightly



rejected such prayer.

This Court finds no reason to interfere with the order impugned.

Accordingly, the present revision petition is dismissed as being without any merit.

(Ashutosh Kumar, J.)

Rakhi

U		T	
---	--	---	--

