

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10406 of 2018

Arising Out of PS.Case No. -35 Year- 2012 Thana -MINAPUR District- MUZAFFARPUR

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Bare Sah @ Barababu Sah S/o Ramyash Sah, R/o Village + P.O. Sirsi, P.S.-
Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate
: Mr. Ratneshwar Prasad, Advocate
For the State : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-08-2018

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for quashing the order dated 17.01.2018 passed by learned 10th Additional Sessions Judge, Muzaffarpur in Sessions Trial No.131 of 2013/249 of 2014 in Minapur P.S. Case No.35 of 2012 registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code whereby he dismissed the petition for calling First Information Report of Nanpur P.S.Case No.226 of 2011 and Complaint Case No.127 of 2012 (Trial No.974 of 2015) from the Court of Sub Divisional Judicial Magistrate, Pupri, Sitamarhi.

2. Repeated applications filed by the accused facing trial in



a case in which charges have been framed, *inter alia*, under Section 302 of the Indian Penal Code in order to delay the trial has been deprecated by the trial court vide impugned order dated 17.01.2018 passed in Sessions Trial No.131 of 2013/249 of 2014 by the learned 10th Additional Sessions Judge, Muzaffarpur.

3. Having heard learned counsel for the petitioner and learned counsel for the State, I find that the manner in which the application was filed in the court below on 08.01.2018 for summoning certain public documents which were already on record and in regard of which identical prayer was already rejected earlier by the trial court is totally justified.

4. The application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.08.2018
Transmission Date	23.08.2018

