

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87015 of 2019

Arising Out of PS. Case No.-92 Year-1997 Thana- GAIGHAT District- Muzaffarpur

Avdhesh Singh, aged about 65 years, Son of Late Mahendra Singh, Resident of Village- Kothiya Tole, Panchhiyaripura, P.S.- Gayghat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Alok Singh Son of Ram Pravesh Singh
 3. Rajeev Singh Son of Ram Pravesh Singh
 4. Sushil Singh Son of Suresh Singh
 5. Madan Mohan Singh Son of Late Sidheshwar Singh
 6. Sanjay Singh Son of Late Nagendra Singh
- All are Resident of Village- Kothiya Tole, Pusa, P.S.- Gay Ghat, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Ashok Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 08-01-2020

Heard learned counsel for the parties.

This application has been filed under Section 482 of the Cr.P.C for quashing the order dated 01.06.2019 passed by learned F.T.C. No. 2, Muzaffarpur in Sessions Trial No. 175 of 2001 arising out of Gaighat P.S. Case No. 92 of 1997, by which petition under Sections 311 of Cr.P.C. for recall of witnesses for exhibiting injury report of the injured persons has been rejected by the trial court.

This criminal miscellaneous petition has been filed



on behalf of informant for setting aside the order dated 01.06.2019 by which application filed on behalf of prosecution under Section 311 of the Cr.P.C. for exhibiting injury report after recalling of the witness has been rejected by the trial court. The trial court in its order has held that charges were framed in this case on 24.09.2004 and evidence on behalf of prosecution was closed on 07.02.2017 and on 02.03.2017 the statement of the accused has been recorded under Section 313 of Cr.P.C. and thereafter the case has been fixed for final argument and instead of participating in the final argument they have filed petition under Section 311 of the Cr.P.C after 18 years of institution of the case and accordingly the trial court has rejected the petition.

This court does not find any error or irregularity in the order dated 01.06.2019 passed by learned F.T.C. No. 2, Muzaffarpur in Sessions Trial No. 175 of 2001 arising out of Gaighat P.S. Case No. 92 of 1997.

The criminal miscellaneous petition is dismissed.

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	



