

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13001 of 2016**

Arising Out of PS. Case No.-254 Year-1998 Thana- BIHPUR District- Bhagalpur

MUNESHWAR SINGH @MUNESHWAR PD. SINGH son of Late Babu Hemari Singh Resident of village- Balha, P.S.- Bihpur Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Md . Ansural Haque App

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      05-09-2023                      1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The learned counsel submits that the present application has been filed seeking quashing of the order dated 09.02.2016, passed in Cr. Appeal No. 108 of 2014 by the learned 2<sup>nd</sup> Additional Sessions Judge, Naugachia, District- Bhagalpur, arising out of Bihpur P.S. Case 254 of 1998, whereby the prayer of the petitioner for bringing additional evidence under Section 391 of the Cr.P.C. has been rejected.

3. The learned A.P.P. draws the attention of the Court to order dated 09.02.2016, passed in Cr. Appeal No. 108 of 2014 to submit that the learned Sessions Judge has very clearly recorded in the order that the learned lower Court has convicted



appellant under Section 465 of the Indian Penal Code on the basis of the evidence produced by the complainant. The document wanted to be exhibit by the appellant in this Cr. Appeal is not a relevant document and does not relate with disputed land in Complaint Petition No. 230 of 1998, judgment of which gave rise to the present appeal.

4. The learned A.P.P. thus submits that when the evidence which the petitioner intends to bring on record does not relate to the land in question which is in dispute then it amply demonstrates that the petitioner is only trying to delay the appeal in some manner.

5. The learned counsel for the petitioner is not able to rebut the submission of the learned A.P.P.

6. Considering the submissions, the Quashing Application stands dismissed.

**(Satyavrat Verma, J)**

GauravSinha/-

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