

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28015 of 2023

Arising Out of PS. Case No.-23 Year-2010 Thana- C.B.I CASE District- Patna

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UMESH KUMAR S/o- LATE BACHU PRASAD SINGH Resident of New
Area Nardiganj Road Garh Par Nawada Ps- Nawada Dist- Nawada

... .. Petitioner/s

Versus

1. Union of India through the Superintendent of Police, Central Bureau of Investigation, ACB Patna Bihar
2. Shashi Kant Kumar son of Late Nathun Yadav Village Po Ps- Katrisarai and Dist- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avinash Chandra, Advocate

For the Opposite Party/s : Mr.Nivedita Nirvikar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

This application has been filed for quashing of the order dated 29.03.2023 passed by learned Special Judge C.B.I-II, Patna in Special Case No. 07 of 2010/RC Case No. 23A of 2010 by which learned Judge has rejected the petition filed by the petitioner for the offences under Sections 311 of the Code of Criminal Procedure read with 145 of the Evidence Act.

It has been submitted by learned counsel for the petitioner that petitioner wants an opportunity to cross-examine the witness again. Earlier, learned counsel for the petitioner had cross-examined the witness. This is nothing but attempt to fill up the lacunae and delay the trial.



In view of the above, this application is dismissed
with a direction to the court below to proceed with the trial.

(Sandeep Kumar, J)

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