

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49037 of 2023

Arising Out of PS. Case No.-9 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Ghashi Paswan @ Dharamaveer Paswan @ Ranjit Paswan @ Pahalwan, Son
of Ramdhyan Paswan, Resident Of Village- Nibi, P.S.-Chand, District-
Kaimur

... .. Petitioner

Versus

1. The State of Bihar
2. Ramashankar Paswan, Son of Katwari Paswan, Resident of Village- Bhatti,
P.S.-Mohania, District- Kaimur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Viveka Nand Singh, Advocate
For the Opposite Party	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-08-2023 The defect pointed out by the office is ignored.

2. This application has been filed for quashing
of order dated 27.03.2023 passed by learned Special Judge,
POCSO-cum-A.D.J.-VI, Bhabhua, in POCSO Case No. 08 of
2020, whereby the learned Special Judge has rejected the
petition filed by the petitioner to recall P.W.-2 namely, Rama
Shankar Paswan for cross-examination.

3. Learned counsel for the petitioner submits
that because of the mistake of his lawyer, the petitioner cannot
be denied the opportunity to cross-examine the important
witness.

4. I have considered the submissions of the



parties and perused the materials on record.

5. I find substance in the submission of learned counsel for the petitioner. Accordingly, this application is allowed and the impugned order dated 27.03.2023 passed by learned Special Judge, POCSO-cum-A.D.J.-VI, Bhabhua, in POCSO Case No.08 of 2020, is hereby quashed. The petitioner is permitted to cross-examine P.W.-2 namely, Rama Shankar Paswan. The trial court will issue summons to P.W.-2 namely, Ram Shankar Paswan for cross-examination.

(Sandeep Kumar, J)

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