

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42131 of 2022

Arising Out of PS. Case No.-12 Year-2016 Thana- MAHILA PS District- Gaya

Md. Neyaz

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.K Lal, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 26-07-2023 Heard Mr. S.K. Lal, the learned Advocate for the petitioner and Mr. Sajid Salim Khan, the learned Advocate for the informant. The State is represented by Mr. Bharat Bhushan, the learned APP.

2. Earlier, a report had been called for from the Court below about the stage of this case. The report dated 21.07.2023 has been placed at flag A, which indicates that the prosecution evidence was closed on 19.07.2022. The statement of the accused under Section 313 Cr.P.C was recorded on 30.07.2022. According to the report, the defence was given the last chance for producing defence witnesses if so desired on



20.07.2023 and the next date fixed in the case was 26.07.2023.

3. Mr. Lal, has submitted that the report is not complete as much as it has not been stated that a list of witness had been provided from the defence side for their examination as also for exhibiting certain documents in their favour. However, that move of the defence met with resistance and an objection petition was filed by the prosecution.

4. Till date, the trial Court has not decided the objection petition.

5. After this, Mr. S.k Lal submits that as on date, the defence does not want to examine any defence witness.

6. Such an application shall be made before the trial Court, who shall agree to the same unless it is found to be necessary to examine the defence witnesses. So far as marking of exhibits are concerned, the trial Court is further directed to pass necessary orders



without any delay and conclude the proceedings / trial positively within a period of three months to be counted from today.

7. The petition stands disposed of with the aforesaid direction.

(Ashutosh Kumar, J)

Mayank/Sunilkumar

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