

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64225 of 2022

Arising Out of PS. Case No.-803 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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DR. SANJEEV KUMAR AGARWAL @ SANJIV KUMAR AGARWAL Son
of Late Arbind Kumar Agarwal Resident of Mohalla- Mungeriganj,
ArbindSobha Memorial Dental Hospital, Kharag Narayan Road, P.S-
Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ravi Pranjal Singh, Branch Manager, Dakshin Bihar Gramin Bank,
Begusarai Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

2. The application is filed for quashing of the order dated 19.07.2022 passed in complaint case no. 803C/2018 by Judicial Magistrate 2nd Class, Begusarai whereby the learned Judicial Magistrate has rejected the petition filed by the petitioner under section 311 of the Code of Criminal Procedure for re-cross examination of CW-1 and CW-2.

3. The application under section 311 has been filed by the accused after he got enough time to cross examine the witness and the witness was fully cross-examined by his lawyer.



Now at this stage, after the statements have been recorded, the petitioner cannot be allowed to fill up the lacuna.

4. It appears that this application under section 311 is a *mala-fide* application. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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