

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4158 of 2023

Arising Out of PS. Case No.-295 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

SHUBHAM KUMAR SINGH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-04-2023

Heard the parties.

This application has been filed for quashing the order dated 2.11.2022 passed by learned Court of Additional Sessions Judge-XI, Kaimur at Bhabua in Sessions Trial No. 7 of 2021 arising out of Mohania P.S. Case No. 295 of 2019 by which the learned Court of Additional Sessions Judge-XI, Kaimur at Bhabua has allowed the petition filed by opposite party no.2.

That as per the prosecution story, in short, is that informant namely Gopal Singh given a fradbeyan on 25-6-2019 at about 13:20 O'clock in the day time before the police and has alleged in the F.I.R. that he received an information at about 12-00 O'clock that the dead body of the Ranjan Kumar Sngh is available in the dry well of the villager namely Sachhidanand



Singh. The informant further alleged that the Stomach of the deceased is rift condition and half neck was in cutting position. The informant raised suspicion that some unknown person killed. The informant alleged that the deceased was living separately after partition from the informant.

The prayer of the petitioner cannot be allowed by this Court at this stage. If any new witness who has not been named in the charge sheet is being examined by the Court, the petitioner has liberty to cross-examine the witness and he will also point out to the Court that the witness was not named in the charge sheet. It is for the Court to decide the case on the basis of oral and documentary evidence, therefore, this application seems to delay the trial.

Accordingly, this application is dismissed.

The trial is directed to be expedited.

(Sandeep Kumar, J)

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