

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.271 of 2019

Arising Out of PS. Case No.-149 Year-2007 Thana- SIKANDRA District- Jamui

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SANJAY KUMAR @ SANJAY KUMAR THAKUR Son of Late Brahmdeo
Thakur Resident of Village- Gahlaur, P.S.- Sikandra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad

For the Respondent/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 07-05-2024 Heard the learned counsel for the petitioner and
learned counsel for the State; Shri Syam Kumar Singh.

2. This Cr. Revision is directed against the order dated 06.09.2018 passed by the Court of Fast Track Court, Jamui in Session Trial No. 154/2009 (Arising out of Sikendra P.S. Case No.149/2007) by which the petition dated 04.08.2018 filed on behalf of the informant/ petitioner praying for permission to adduce the remaining witnesses i.e. Doctor and investigating officer has been rejected.

3. Despite the service of notice, none appears for the accused.

4. As per the prosecution case, all the accused persons stopped the informant and his father and shot at the father of the informant.



5. Learned counsel for the petitioner/informant has submitted that the examination of the investigating officer and the doctor in the case is essential for the just decision of the case and the impugned order has been passed without considering this aspect.

6. Learned counsel for the State has not opposed the application of the petitioner in view of the fact that application is basically for aiding the prosecution.

7. I have examined the impugned order. The impugned order is a cryptic and non-speaking order.

8. In the interest of justice, this application is allowed. The petition dated 04.08.2018 filed by the prosecution for permission to adduce the I.O. namely Umesh Paswan and the Doctor namely Ganesh Kumar is hereby allowed.

9. The Superintendent of Police, Jamui is directed to produce the witnesses at the earliest as the Sessions trial is quite an old one and get the witnesses examined as directed.

10. This application stands allowed.

(Sandeep Kumar, J)

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