

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.342 of 2024

Arising Out of PS. Case No.-140 Year-2018 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Saraswati Devi wife of Late Anil Kumar R/o- 135, Bageshwari Road, Chotki
Nawada Loco Colony Ps- Delha Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna Bihar
2. The I.G of Police Magadh Zone, Gaya Bihar
3. The SSP Gaya Bihar
4. The Officer In Charge, magadh Medical Gaya Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-06-2024

I.A. No. 01 of 2024

1. This interlocutory application has been filed for
condonation of delay of 20 days in filing the revision
application.

2. For the reasons mentioned, this interlocutory
application is allowed. The delay in filing the revision
application is hereby condoned.

3. The present application has been filed against the
order dated 22.12.2023 passed by the learned Additional District
and Sessions Judge-VI (POCSO), Gaya passed in POCSO Case
No. 18 of 2019 by which the court below has rejected the



application filed by the petitioner for recalling of witness no. P.W. 1 under Section 311 of the Cr.P.C.

4. By the impugned order the application under Section 311 of the Cr.P.C. filed by the petitioner has been rejected by the court below.

5. The petitioner wants to again cross-examine the victim though earlier also the accused persons have cross-examined the victim.

6. The petitioner wants to fill up the *lacunae* in the defence case and this Court cannot be a party to the same.

7. In the interest of justice the Court below has rightly been dismissed the application under Section 311 of the Cr.P.C. filed by the petitioner.

8. I find no error in the impugned order. Accordingly, this application is dismissed and the trial is directed to be expedited.

(Sandeep Kumar, J)

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