

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 350 of 2024**

Arising Out of PS. Case No.-44 Year-2009 Thana- VIGILANCE District- Patna

Raj Kishore Sinha Son Of Late Jagat Narayan Resident Of Mohalla - Gola
Road, Gajadhar Chak, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Department, Govt of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Kishore Kunal, Advocate

For the Respondent/s : Mr Rana Vikram Singh, Special PP (Vigilance)

CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL JUDGMENT

Date : 03-09-2024

Heard.

2 This revision petition has been preferred by the petitioner being aggrieved with the order dated 02.03.2024 passed by the Court of learned Special Judge, Vigilance, Patna in Special Case No 34 of 2009 arising out of Vigilance PS Case No 44 of 2009 dated 28.04.2009 registered under Sections 7/13 (2) read with Section 13 (d) of the Prevention of Corruption Act, 1988 whereby and whereunder the application filed by the petitioner under Section 311 of the Cr P C for recalling PW 5 for his reexamination has been rejected.

3 Perusal of the impugned order shows that PW 5 has already been examined before the learned Court below on



16.06.2016 and was also cross examined at length by the petitioner. Thereafter, after a lapse of about 7 years on 21.02.2024, an application under Section 311 of the Cr P C has been filed by the petitioner for recalling PW 5 for his further cross examination on certain points. The said application has been dismissed by the learned Special Judge vide impugned order dated 02.03.2024. The said order is a reasoned order and I find that the application under Section 311 of the Cr P C has rightly been rejected by the learned Special Judge.

4 Resultantly, I do not find any merit in this revision petition and the same is liable to be and is hereby dismissed at the stage of admission itself, having no merit.

(Arvind Singh Chandel, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.09.2024
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