

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.496 of 2024

Arising Out of PS. Case No.-12 Year-2003 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kundan Kumar Son of Ranjan Prasad R/O Village- Pattaura, P.S.- Motihari
Muffasil, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Tarkeswar Prasad Son of Late Dharamdev Prasad R/O Village- Pattaura,
P.S.- Motihari Muffasil, Distt- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Respondent/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned
counsel for the respondents-State.

2. This revision petition has been preferred by the petitioner being aggrieved with the order dated 07.05.2024 passed by 1st Additional District and Sessions Judge, East Champaran at Motihari in S.T. No. 35/2004 whereby and where under the learned Additional Judge Sessions Judge rejected application submitted by the applicant/accused for directing the prosecution for production of matriculation certificate of the victim for assessing her age.

3. Perusal of the impugned order clearly shows that in the said Sessions Trial, the prosecution has concluded its



evidence on 01.05.2017 and the defence also concluded its evidence on 04.06.2022. Thereafter, the said application has been filed by the petitioner/accused for directing the prosecution for production of the said matriculation certificate of the victim. The above application has been rejected by learned Trial Court on the ground that the said application has been filed by the petitioner belately and also on the ground that the prosecution is not bound to lead evidence as per desire of the accused. The above finding recorded by the learned Trial Court appears to be just and proper.

4. Resultly, I do not find any merit in this revision petition. Thus, the revision petition is dismissed, having no merit.

(Arvind Singh Chandel , J)

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