

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1296 of 2018

Arising Out of PS. Case No.-55 Year-2012 Thana- SARE District- Nalanda

Mahendra Yadav @ Mahendra Prasad Son of Suryug Yadav @ Pujari Ji,
Resident of Village- Mandachh, P.S.- Deep, District- Naland.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Respondent/s	:	Sri Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

6 01-02-2024 It is frankly submitted by the learned Advocate for the petitioners that after examination of three witnesses upon an application under Section 319 of the Cr.P.C., the petitioners were summoned by the trial court to face trial along with the other chargesheeted accused persons. The petitioners on the basis of summons, entered appearance in the trial court. Charge was framed against them and on behalf of them, one witness has been cross-examined by the learned Advocate on behalf of the petitioners in the trial court.

2. Thus, when they have submitted to the jurisdiction of the trial court to face trial, the petitioners cannot raise any grievance against the order under Section 319 of the Code of Criminal Procedure.



3. In view of such facts, the instant Revision is dismissed. However, the learned Advocate for the petitioners is given liberty to cross-examine the witnesses, if any, who were not examined during trial on behalf of the present petitioners. The trial court shall give such opportunity to the petitioners as directed by the this court.

4. With the above order, the instant Revision is disposed of.

(Bibek Chaudhuri, J)

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