

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55539 of 2024

Arising Out of PS. Case No.-663 Year-2017 Thana- TURKAULIYA District- East
Champaran

Vinay Kumar Son Of Shivmangal Thakur Resident Of Village - Ward No. 13,
Chailana, Near Maszid, P.S. - Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate
For the State : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioner and Mr.
Jharkhandi Upadhyay, learned APP for the State.

2. The present application has been filed for quashing
the order dated 03.07.2024 passed by the Sessions Judge, East
Champaran, Motihari in Sessions Trial No. 498 of 2018 arising
out of Turkauliya (Banjariya) P.S. Case No. 663 of 2017 by
which the application of the prosecution for calling the then
SHO and the Doctor has been allowed.

3. The application dated 25.06.2024 was filed by the
prosecution under Section 311 of the Cr.P.C. The same has been
allowed by the learned Sessions Judge by the impugned order.
The learned Sessions Judge has held that the evidence of Sudhir
Kumar, Police Sub-Inspector- cum-SHO posted on 21.10.2017



and 22.10.2017 at Bnajariya Police Station and the doctor who examined the accused Vinay Kumar on 22.10.2017 at Sadar Hospital, Motihari and had prepared the medical report of the petitioner are to be examined for the just decision of the case.

4. Learned counsel for the petitioner apart from arguing that the trial was at the stage of final hearing and the case is an old one has not been able to make out a case for interference.

5. In view of the above, this application is dismissed.

6. The trial Court is directed to proceed with the case and decide the same at the earliest.

(Sandeep Kumar, J)

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