

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78731 of 2023

Arising Out of PS. Case No.-59 Year-2014 Thana- MAHILA PS District- Darbhanga

MD. MUSTAQUE SON OF MD. ISLAM RESIDENT OF VILLAGE -
GAUSAGHAT AND P.S. - DARBHANGA SADAR, DISTRICT -
DARBHANGA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. MD. AKHTER SON OF IDRIS RESIDENT OF VILLAGE -
GAUSAGHAT AND P.S. - DARBHANGA SADAR, DISTRICT -
DARBHANGA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-07-2024 Heard the parties.

This application has been filed on behalf of the petitioner for quashing the order dated 14.09.2023 passed by the learned Court of Exclusive Special Judge, POCSO Act, Darbhanga passed in POCSO Gr. Case No. 06 of 2014 in Mahila P.S. Case No. 59 of 2014.

During trial the witnesses, PW 1 to 4 have been examined and cross-examined. Now an application under Section 311 of the Cr.P.C. has been filed by the petitioner, who is one of the co-accused and he wants further cross-examination on the basis of the compromise.



Learned APP for the State opposed the prayer of the petitioner.

It appears that the petitioner and other accused persons are tampering with the evidence and after gaining over the witnesses want to cross-examine the witnesses further which is not permissible.

Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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