

15.01.2019

S. Tr. 176/00

Pr: Sh. Rang Nath Pandey Ld. Adv. For Sole accused. Accused in person.

Ld. Adv. for accused made submissions w.r.t. the application dt. 13.07.2018 filed by the State.

Awaited for the Ld. APP for State.

At. 1.00 PM

Pr. Ld. APP for State and Ld. Adv. for sole accused with accused in person.

Vide instant order I shall decide the application dt. 13.07.2018 filed by the prosecution u/s 311 of Cr. P.C. for examination of three witnesses as Pws. They are

- i. Dr. Jitendra Narain Singh who conducted PM
- ii. Dr. Arun Kumar Singh, Forensic Medicine, Patna Medical College Patna and
- iii. Inderjeet Mishra, ASI, Nokha PS, Dt. Rohtas.

Heard Ld. Counsel for the accused and Ld. APP for the State. Also perused the record.

Ld. APP submits that he wants to examine the abovesaid witnesses as their examination is essential for the just decision of the case. He further submits that he will complete evidences of all abovesaid witnesses on a single day.

On the other hand Ld. Counsel for the accused submits that the evidence of the prosecution was closed on 22.03.2017 and by moving the instant application it wants to fill the lacuna of prosecution evidence.

Heard. Perused the record. Amongst thirteen witnesses the prosecution has examined nine witnesses. No prejudice will be caused to the accused if one opportunity is given to the prosecution to examine the three witnesses, if the prosecution says that it will examine them on a single day.

Order dt. 22.03.2017 regarding closure of prosecution evidence is recalled and application dt. 13.07.2018 filed by the prosecution is allowed giving one opportunity to complete the examination of abovesaid three witnesses in a single day.

To come up on 16.02.2019 for examination of abovesaid three witnesses. Their details are mentioned in the charge sheet.

Issue summons to the abovementioned witnesses and in addition to dasti summons which is directed to be give to the Ld. APP for service of the witnesses.

ASJ-X

Sasaram at Rohtas