

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54332 of 2013

In
Criminal Miscellaneous No. 28731 of 2012

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Ram Padarath Singh, aged About 58 Years S/O Late Ram Sharan Singh,
resident of Village Karandey, P.S. Karandey, District Sheikhpura.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Gulo Mistri son of Late Madho Mistri, At + PO Karandey, District Sheikhpura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party No.1 : Mr. Rabindra Kumar, Addl.P.P.
For the Opposite Party No.2 : Mr. Anjani Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 19-08-2015

By order dated 08.01.2014, notice was issued to the newly added opposite party no.2, the informant of the criminal case.

By office note dated 11.08.2015 it has been pointed out opposite party no.2 is reported to have died. However, a vakalatnama on behalf of his son has been filed. Learned counsel appearing on behalf of son of opposite party no.2 is present in the Court. He does not dispute the factum of death of his father.

With the consent of the parties, the matter has been taken up for consideration on merit.

The present application has been field for restoration of Cr.Misc.No. 28731 of 2012 which stood dismissed for want of prosecution by order dated 12.12.2013.

After having heard the parties and for the reasons disclosed in the present application, the prayer for restoration is allowed and Cr.Misc.No. 28731 of 2012 is directed to be restored

to its original file.

The aforesaid Cr.Misc.No.28731 of 2012 shall henceforth be listed before the appropriate Bench, as per roster, after obtaining necessary permission from Hon’ble the Chief Justice.

The present application stands allowed to the extent indicated above.

(Birendra Prasad Verma, J)

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