

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42910 of 2015

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1. Sarita Kumari
2. Anita Kumari,
3. Rita Kumari, All daughters of Kameshwar Mahto, Resident of Village -
Teldih, P.S. - Ariari, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rabita Kumari, Daughter of Bano mahto, Resident of Village -
Pratappur, P.S. - Halsi, District - Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-09-2015 Heard learned counsel for the petitioners, learned

counsel for the State and learned counsel for the Opposite Party

No.2.

The instant application under section 482 of the
Code of Criminal Procedure has been filed for restoration of
Cr.Misc. No.47583 of 2012 which stood dismissed on 23rd June,
2015 for want of prosecution.

It is contended that since the father of the
petitioners' counsel had died, the counsel for the petitioner had
gone his village to attend the *Shradh* ceremony, as a result of
which he could not appear on the date when the case was taken up.

Learned counsel for the Opposite Party No.2 does

not oppose the application for restoration filed on behalf of the petitioners.

On the facts and in the circumstances of the case, the prayer is allowed. Let Cr.Misc. No. 47583 of 2012 be restored to its original file.

The application is disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

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