

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53757 of 2015
Arising out of
Criminal Miscellaneous No.46927 of 2015

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Haresh Kumar son of Raudi Singh, R/o village - Ashogi, P.S. - Bairginia, District - Sitamarhi.

The State of Bihar

Versus

.... Petitioner/s

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 02-12-2015

Heard learned counsel for the parties.

The present application seeks recall of order dated 16.10.2015 by which Criminal Misc. No.46927 of 2015 stood dismissed for non-prosecution.

Learned counsel for the petitioner submits that due to illness, he could not appear before the court when the case was taken up resulting in its dismissal. It is submitted that there was no deliberate or willful laches on his part.

Learned A.P.P. does not oppose.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the order dated 16.10.2015 passed in Criminal Misc. No.46927 of 2015 stands

recalled. Accordingly, Criminal Misc. No.46927 of 2015 stand restored to its original file and number.

The application stands disposed off.

(Ahsanuddin Amanullah, J)

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