

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 53722 of 2015
Arising out of
Criminal Miscellaneous No. 46924 of 2015

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Muksa Kumar @ Mukesh Kumar Son of Bino Mahto @ Bino Resident of village -
Khaba (Chand Tola), P.S. Medani Chauki, District - Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-12-2015

Heard learned counsel for the petitioner and learned A.P.P. for
the State.

Learned counsel for the petitioner files supplementary
affidavit bringing on record order dated 16.10.2015 passed in Cr.
Misc. No. 46924 of 2015.

The present writ application has been filed for recall of order
dated 16.10.2015 passed in Cr. Misc. No. 46924 of 2015 by which the
same was dismissed for non-prosecution.

Learned counsel for the petitioner submits that due to illness
of counsel on 16.10.2015, nobody had appeared resulting in dismissal
of the case and prays that the same, not being deliberate or willful and
without any laches on the part of the counsel, should be recalled and
the case be restored.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the order dated 16.10.2015 passed Cr. Misc. No. 46924 of 2015 is recalled and the case is restored to its original file and number.

The application stands disposed off.

(Ahsanuddin Amanullah, J)

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