

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2213 of 2016

=====

Smt. Sunita Devi Wife of Sri Anajy Kishore Prasad, Daughter of Sri Krishnadeo Prasad Resident of 4/34, ONGC Colony, New Magdalla, Dumas Road, Surat (Gujrat).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Uma Nath Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

By way of the present application under Section 482 of the Code of Criminal Procedure, 1973, the petitioner seeks restoration of Cr. Misc. No. 6178 of 2015 which was dismissed for non-compliance of the peremptory order dated 11.09.2015.

It has been contended by learned counsel for the petitioner that since he had fallen ill, delay of one day was caused in complying with the aforesaid order dated 11.09.2015. It has further been contended that there was no willful or deliberate laches on the part of the petitioner.

Learned counsel for the State does not oppose the

prayer for restoration of the aforesaid application.

On the facts and in the circumstances, the prayer is allowed.

Let Cr. Misc. No. 6178 of 2015 be restored to its original file.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--