

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27381 of 2016

Arising out of

Criminal Miscellaneous No.4812 of 2015

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Bigu Ram, S/o Sita Ram, Resident of Village- Dulama Tola- Gosaipur,
P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... 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 ORDER

2 07-09-2016

Heard learned counsel for the parties.

The present application has been filed seeking recall of
the order dated 18.05.2016 by which Cr. Misc. No. 4812 of 2015
had been dismissed.

Learned counsel for the petitioner submits that due to
engagement in another case in another court, by the time he
reached this Court, order has already been passed and, thus, he has
filed the application for restoration of the same and prays that
there is no deliberate laches on his part and his conduct may be
condoned and Cr.Misc. No. 4812 of 2015 be restored.

Learned A.P.P. does not oppose.

Having considered the facts and circumstances of the
case and submissions of learned counsel for the parties, this Court
finds that sufficient cause has been shown by learned counsel for

the petitioner not having appeared on 18.05.2016 when Cr.Misc. No. 4812 of 2015 was called out and dismissed for non-prosecution. Accordingly, the application stands allowed.

Cr. Misc. No. 4812 of 2015 stands restored to its original file and number.

(Ahsanuddin Amanullah, J)

Sujit/-

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