

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37678 of 2016**

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1. Jahangir Khan Son of Chhote Khan Resident of village- Kothi, P.S.-  
Kothi, Dist.- Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      05-09-2016                      By making this Criminal Miscellaneous Application,  
  
the appellant has sought for restoration of Criminal Appeal (DB)  
  
No. 513 of 2016, which was dismissed for default on 28.06.2016.

Heard Mr. S. Jamil Akhtar, learned Counsel for the  
appellant-applicant, and learned Additional Public Prosecutor for  
the State.

Having considered the averments made in the  
application and having heard the learned counsel for the parties,  
we are satisfied that the absence of the appellant-applicant and/or  
his counsel from the Court on 28.06.2016 was for reasons beyond  
their control.

In view of the above and in the interest of justice, the  
order, dated 28.06.2016 aforementioned, is hereby set aside and

Criminal Appeal (DB) No. 513 of 2016 aforementioned is hereby restored to its original file.

This Criminal Miscellaneous Application shall accordingly stand disposed of.

**(I.A. Ansari,CJ)**

**(Chakradhari Sharan Singh, J)**

K.C.jha/-

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