

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2528 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -Kochadhaman District- Kishanganj

- =====
1. Noorul Haque Son of Late Md. Tahir.
 2. Md. Ashfaque Alam, Son of Late Md. Tahir.
 3. Hashim @ Md. Hasim, Son of Manzoor.
- All are resident of village- Fulwari, P.S.- Kochadhaman in the district of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate.
For the State	:	Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 03-02-2016

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

The present application has been filed for restoration of Cr. Misc. No. 46918 of 2015, which was dismissed due to non prosecution.

Learned counsel for the petitioners submits that due to him being ill, he had requested his colleague to take time but since he was also engaged in another Court, the case upon being called and nobody appearing, was dismissed. It is submitted that there is no deliberate or willful laches on the part of the petitioners and thus the order dated 16.10.2015 be recalled.

Learned A.P.P. does not oppose.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the

order dated 16.10.2015 passed in Cr. Misc. No. 46918 of 2015 stands recalled and the case stands restored to its original file and number.

The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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