

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37573 of 2016

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SURENDRA PRASAD MISHAR

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Suhawan Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Jaiswal, 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. 633 of 2016, which was dismissed for default on 05.07.2016.

Heard Mr. Ram Suhawan Singh, 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 05.07.2016 was for reasons beyond
their control.

In view of the above and in the interest of justice, the
order, dated 05.07.2016 aforementioned, is hereby set aside and

Criminal Appeal (DB) No. 633 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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