

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43752 of 2016

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1. Bimal Kumar Singh, son of late Maheshwar Prasad Singh
2. Subodh Devi, wife of Bimal Singh
Both are resident of village Arot, P.S. Rosera, Distt. Samastipur.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Janam Maharaj, Advocate.
For the State : Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The present application under Section 482 of the Code of Criminal Procedure has been filed on behalf of the petitioner for restoration of Cr. Misc. No. 54398 of 2015 which stood dismissed for want of prosecution vide order dated 15th of July, 2016 passed by this Court.

It is contended by the learned counsel for the petitioner that he had gone to his native village on 9.7.2016 to see his ailing mother who died on 13.7.2016. He came back to Patna on 28.7.2016 resulting which he could not appear in Court on 15.7.2016 when the case was called out.

Considering the submission made at the Bar, the application is allowed.

Let Cr. Misc. 54398 of 2015, be restored to its original file.

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(Ashwani Kumar Singh, J)

