

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12396 of 2016

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Ram Babu Singh @ Ram Babu Rai son of late Vasudeo Singh, resident of
village- Bhisra, P. S.- Dumra, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar

2. Abhay Kumar son of Sri Narayan Prasad, resident of Ram Padarath
Nagar, Chakmahila, P.S.- Sitamarhi, District- Sitamarhi

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. T.P.Mandal , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-03-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, the petitioner
seeks restoration of Cr. Misc. No. 33833 of 2015 which stood
dismissed for want of prosecution vide order dated 22.01.2016.

It is contended that while the counsel for the
petitioner was out of station due to some compelling reasons,
the aforesaid application was taken up on 22.01.2016 and since
none appeared on behalf of the petitioner, the case was
dismissed for default. Learned counsel for the petitioner had
requested one of his colleagues to attend the Court in his

absence, but he could not appear in time because of his personal work.

Be that as it may, on the facts and in the circumstances of the case, the prayer is allowed. Let Cr. Misc. No. 33833 of 2015 be restored to its original file.

(Ashwani Kumar Singh, J.)

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