

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42798 of 2016

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Saket Kumar, son of late Ashutosh Tiwary, resident of village - Tiwary Chak, P.S.-Naubatpur, Dist. – Patna, presently residing at Mohalla-Allahabad Bank Colony, Khajpura, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Sri Rajendra Pandey, son of late Satya Narain Pandey, resident of village - Tiwary Chak, P.S.-Naubatpur, Dist.-Patna, presently residing at Road No.6 Police Colony, Anishabad, P.S. Gardanibagh, District-Patna.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.

For the State : Smt Pushpa Sinha, 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 petitioner and learned counsel for the State.

The present application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for restoration of Cr. Misc. 41601 of 2013 which stood dismissed on 11th of August, 2016 for want of prosecution.

It is contended by the learned counsel for the petitioner that by the time the counsel for the petitioner entered into the Court his case was already taken up and dismissed. It is submitted that there is no deliberate laches on the part of the petitioner.

Learned counsel for the State does not oppose the application for restoration of Cr. Misc. 41601 of 2013.

On the facts and in the circumstances of the case, the prayer is allowed.

Let Cr. Misc. 41601 of 2013, be restored to its original file.

(Ashwani Kumar Singh, J)

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