

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16237 of 2016

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Bagar Sahani, son of Dahaur Sahani, resident of Village- Gajpura, P.S.-
Motihari Muffasil, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-04-2016

By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, the petitioner
has sought for restoration of Cr. Misc. No. 10496 of 2016 which
stood dismissed for want of prosecution on 18th March, 2016.

Cr. Misc. No. 10496 of 2016 was filed for
restoration of Cr. Misc. No. 7713 of 2016 which had been
dismissed for want of prosecution on 18th February, 2016.

It is contended by the learned counsel for the
petitioner that due to unavoidable reasons and compelling
circumstances, the petitioner could not attend the court either on
18th February or on 18th March, 2016 as a result of which, Cr.
Misc. No.10496 of 2016 as well as Cr. Misc. No.7713 of 2016

stood dismissed for want of prosecution.

Be that as it may, regard being had to the facts and circumstances of the case, the present application is allowed. Cr. Misc. No. 10496 of 2016 is restored to its original file. Further, for the same reason, Cr. Misc. No. 10496 of 2016 is also allowed and Cr. Misc. No. 7713 of 2016 is directed to be restored to its original file.

Let Cr. Misc. No. 7713 of 2016 be listed tomorrow at the top of the list at 10:30 a.m. under the heading “For Admission”.

(Ashwani Kumar Singh, J.)

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