

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2402 of 2016**

**In**  
**Cr. W.J.C. 838 of 2015**

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Md. Ayub son of Late Md. Khalil, resident of village - Sonbarsa, P.S.-  
Gopalpur, District- West Champaran (Bettiah)

.... .... Petitioner/s

Versus

The State of Bihar & Ors

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rishikesh Ojha, Advocate

For the Respondent/s : Mr. AAG-6

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

3      19-05-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

This application under Article 226 of the Constitution of India has been filed for restoration of Cr.W.J.C. No.838 of 2015 which was dismissed for non-prosecution vide order dated 15.02.2016.

Considering the submissions made by the learned counsel for the petitioner and the averments made in the restoration application, the prayer is allowed.

Registry is directed to restore the aforesaid Cr.W.J.C. No.838 of 2015 to its original file.

**Cr.W.J.C. No.838 of 2015**

After some arguments, Mr. Rishikesh Ojha, learned counsel for the petitioner seeks leave to withdraw the present writ



application in order to file an appropriate application under Section 482 of the Code of Criminal Procedure for the relief prayed for in the present writ application.

Leave is granted.

The application is disposed of as withdrawn.

**(Ashwani Kumar Singh, J)**

Md.S./-

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