

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 778 of 2017

Arising Out of PS.Case No. -294 Year- 2015 Thana –Kesaria District- EAST CHAMPARAN
(MOTIHARI)

- =====
1. Ram Ayodhya Sahani, S/o Late Sagun Sahani.
 2. Surendra Sahani, S/o Ram Ayodhya Sahani. Both are Resident of village-Bijdhari , P.S.-Kesariya, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Ranjan, Advocate
For the State	:	Mr. Upendra Kumar Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-01-2017

Heard learned counsel for the parties.

The present application has been filed for recall of the order dated 22.10.2016 passed in Cr. Misc. No. 30360 of 2016, by which the same has been dismissed for non prosecution.

Learned counsel for the petitioners submitted that on the said day, he had taken his father, who is suffering from cancer, for treatment and, thus, he was not able to make alternate arrangement and the case was dismissed for non prosecution. It was submitted that there is no deliberate fault or lapse on his part.

Having considered the matter, the Court finds that sufficient cause has been shown for non appearance of the learned counsel, when the case was dismissed for non prosecution.



Accordingly, the order dated 22.10.2016 passed in Cr. Misc. No. 30360 of 2016, stands recalled and the petition stands restored to its original file and number.

The present application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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