

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27960 of 2017

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1. Lakhinarayan Singh , son of Late Niwas Singh
2. Bala Devi, wife of Lakhinarayan Singh
Both resident of village – Sheopur, Police Station – Barahara, District
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sona Singh , son of late Niwas Singh
Resident of village -Sheopur, Police Station -Barahara (Sinha) , district-
Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 16-08-2017 Today again , on call, none appeared on behalf of the petitioners either to press the petition or to make a prayer for adjournment. On earlier date also i.e. on 09.08.2017 there was non - appearance on behalf of the petitioners, whereas Dr. Mrityunjay Kumar Gautam, learned Additional Public Prosecutor is present.

The present petition has been filed with a prayer to restore Cr. Misc. No. 51294 of 2013 , which stood dismissed on 21.07.2016 due to non -prosecution. The said Criminal Miscellaneous petition i.e. Cr. Misc. No. 51294 of 2013 was filed with a prayer to quash an order dated 01.11.2013 passed by learned 2nd Fast Track Court, Ara in Sessions Trial No. 179 of



2013 (arising out of Barahara P.S. Case No. 118 of 2012) . By the said order petition filed on behalf of two petitioners namely Lakhinarayan Singh and Bala Devi under section 227 of the Cr. P.C. was rejected.

Since again none appeared on behalf of the petitioners, the present restoration petition stands dismissed due to non-prosecution.

The court is of the opinion that while dismissing the present restoration petition, it is desirable to direct the court below to proceed with the case expeditiously.

Let a copy of this order be sent to the court below forthwith.

(Rakesh Kumar, J)

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