

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37109 of 2017

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Maneger Singh Son of Late Ram Prit Singh, R/o Village- Mothaha (Motha),
P.S.- Marhaura, District- Saran, Chapra.

.... Petitioner

Versus

1. The State of Bihar.
2. Krishna Singh, Son of Kameshwar Singh,
3. Sunil Singh, Son of Kameshwar Singh,
4. Kameshwar Singh, Son of Late Brijnandan Singh,
5. Parmatma Singh Son of Rameshwar Singh,
6. Anil Singh Son of Kameshwar Singh,
7. Gaurishankar Singh Son of Viveka Singh,
8. Harendra Singh Son of Viveka Singh,
All are R/o Village- Mothaha (Motha), P.S.- Marhaura, District- Saran,
Chapra.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. None.

For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

2 11-08-2017 On call, none appeared on behalf of the petitioner

either to press this petition or to make a prayer for adjournment,

whereas Sri Ajay Mishra, learned Addl. Public Prosecutor is

present.

The present restoration petition has been filed with

a prayer to restore Cr.Appeal (DB) No. 396 of 2017), which stood

dismissed on 05.07.2017.

The present restoration petition appears to be

misconceived since the appeal i.e. Cr.Appeal (DB) No.396 of



2017 was not dismissed due to non-prosecution, rather the appeal stood dismissed in absence of any petition for grant of leave under Section 378(3) of the Code of Criminal Procedure and, as such, the present restoration petition being misconceived stands dismissed.

(Rakesh Kumar, J)

(Mohit Kumar Shah, J)

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