

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55774 of 2017**

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Kaushalendra Kumar Pandey @ Chhote Babu, son of Bindshwari Pandey,  
Resident of Leena Kunj, Ramayan Nagar, Barh, P.S. Barh -6, Patna.

.... .... Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
  2. The Superintendent of Police, Gopalganj.
  3. Smt Minu Singh, Mirganj, Gopalganj. .... .... Opposite Parties.
- =====

**Appearance :**

For the Petitioner/s : Mr. Nagadeo Choubey, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      22-11-2017

Heard learned counsel for the parties.

Cr.W.J.C.No.777/2015 was dismissed for non-prosecution on 01.09.2017.

The present application is for setting aside the dismissal and restoration of Cr.W.J.C.No.777/2015 to its original file.

After hearing the petitioner as well as the State Counsel and finding substance in the explanation for non-appearance, let the dismissal be set aside and Cr.W.J.C. aforesaid be restored subject to the cost of Rs. 1,00/- to be deposited in the Victim Compensation Fund.

Accordingly, this application stands allowed.

**(Birendra Kumar, J)**

Nitesh/-

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