

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4969 of 2017

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1. Bharat Singh son of Late Ishwari Singh resident of Village - Ghatmapur,
P.S. - Sasaram (Muffasil), District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Gauri Shankar Singh son of Late Ishwari Singh
3. Bahadur Singh son of Motilal Singh
4. Dinanath Singh son of Late Ishwari Singh
5. Vyas Singh son of Late Jammindar Singh
6. Jai Gobind Singh son of Dinesh Singh
7. Mithlesh Kumar Singh son of Gauri Shankar Singh
8. Santosh Kumar Singh son of Gauri Shankar Singh All residents of
Village - Ghatmapur, P.S. - Sasaram (Muffasil), District - Rohtas.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Surender Prasad Singh

For the Opposite Party/s : Mr. Sri Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

2. 01-03-2017

By this application petitioner seeks to restore

Criminal Appeal (DB) No. 512/2016, which was dismissed
for default on 29.11.2016.

It is submitted that the writ petitioner was busy
in the marriage of his daughter and as such could not attend.
We may record that earlier such criminal appeal, which is
against acquittal, was dismissed for default. Learned
lawyer's prayer is that because of his illness he could not
attend. The criminal appeal was restored. Thereafter, for
certain defects, it was listed under the heading "For



Orders”, again, no one attended. On the third occasion, again, when it was listed, no one appeared and there was no mentioning of any sort.

In the restoration application apart from written statement that there was a marriage, there is nothing further stated.

We are not inclined to restore the appeal. This restoration application is, thus, dismissed.

(Navaniti Prasad Singh, J.)

(Jitendra Mohan Sharma, J.)

Rajeev/-

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