

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58872 of 2018

In
Criminal Miscellaneous No.22962 of 2015

Arising Out of PS. Case No.- Year- Thana- District- Muzaffarpur

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Suresh Mahto @ Suresh Kumar son of Sri Rambali Mahto, resident of
village- Barkagaon, P.S.- Karza, District- Muzaffarpur

... .. Petitioner/s

Versus

1.State of Bihar
2. Smt. Indu Devi wife of Suresh Mahto resident of village Dariya Chapra
P.S. Motipur District Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra
For the Opposite Party/s : Mr. Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner.

This Criminal Misc. application has been filed by the petitioner for restoration of Criminal Miscellaneous number 22962 of 2015 to its original file with the case that in the said case, dated 24.08.2018 was fixed for Admission, but learned counsel for the petitioner inadvertently, could not hear the call for the case and did not turn up before the Court, accordingly, it was dismissed in default of the petitioner. There is no deliberate and intentional latches on the part of the petitioner in dismissal of the case.

In the facts and circumstances and in the interest of



justice, the Criminal Miscellaneous Application no. 22962 of 2015 is restored to its original file and the present Criminal Miscellaneous Application is allowed.

(Prakash Chandra Jaiswal, J)

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