

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14116 of 2019**

**In
CRIMINAL MISCELLANEOUS No.32176 of 2018**

Arising Out of PS. Case No.-177 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Munger

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DHARMENDRA SAHRMA Son of Manik Chandra Sharma @ Manik
Sharma, resident of Village- Bamber, P.S.- Haveli Kharagpur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan
For the Opposite Party/s : Mr.Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 27-03-2019 By way of the present restoration application,

petitioner seeks to restore the Cr. Miscellaneous No. 32176 of

2018, which stood dismissed for non prosecution vide order

dated 04.07.2018.

Submission of learned counsel for the petitioner that

due to medical emergency the counsel of the petitioner had gone

out of station and he has handed over the file to his colleague

but he could not attend the court on the date when the case was

fixed and there is no willful or deliberate laches on the part of

the petitioner.

Having considered the averments made in restoration

application as well as the submission of learned counsel for the



petitioner, Criminal Miscellaneous No. 32176 of 2018 is restored to its original subject to the cost of Rs. 5,00/- to be deposited by the petitioner in Patna High Court Legal Services Committee, Patna by 09.04.2019.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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