

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54144 of 2019

In
CRIMINAL MISCELLANEOUS No.33569 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- SIMRI District- Buxar

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Mahesh Sah Son of Chote Lal Sah Resident of Village - Kharha Tand, P.S. -
Simri, District - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Opposite Party/s : Mr. Mukeshwar Daya, APP

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

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner.

This Criminal Misc. application has been filed by the petitioner for restoration of Criminal Miscellaneous number 33569 of 2019 to its original file with the case that in the said case, dated 07.08.2019 was fixed for Admission, but learned counsel for the petitioner was in impression that only tied up matter will be heard in 2nd half and he could not notice the matter printed on the cause list to the effect that left over cases will be taken up after tied up matter, resultantly, none was present in the Court to attend the call. Accordingly, it was dismissed for non-prosecution. There is no deliberate and intentional latches on the part of the petitioner in dismissal of



the aforesaid case.

In the facts and circumstances and in the interest of justice, the Criminal Miscellaneous Application no. 33569 of 2019 is restored to its original file and the present Criminal Miscellaneous Application is allowed.

List the Cr. Mis. No. 33569 of 2019 as per seriatim.

(Prakash Chandra Jaiswal, J)

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