

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61272 of 2019

In
CRIMINAL MISCELLANEOUS No.43238 of 2019

Arising Out of PS. Case No.-184 Year-2016 Thana- PAHARPUR District- East Champaran

1. BASHISTHA BHAGAT @ BASHISHTA BHAGAT Son of Late Panchul Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
2. Raja Bhagat Son of Late Panchul Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
3. Devendra Bhagat @ Davendra Kumar Son of Bashista Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
4. Brij Kishore Bhagat @ Brij Kishore Kumar Son of Raja Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
5. Savita Devi Daughter of Bashista Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
6. Vidya Devi @ Vina Devi Daughter of Bashista Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran
7. Reeta Devi Daughter of Raja Bhagat Resident of Sonbal Dakshin Patti, P.S. - Paharpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Tiwary
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 16-10-2019 Petitioners have filed this petition for restoration of the Cr. Misc. No. 43238 of 2019 to its original file with the case that the aforesaid case was listed under the heading “For Admission” on 03.09.2019, but as the advocate clerk failed to mark the case and as such listing of the aforesaid case was not in the knowledge of the learned counsel for the petitioners,



hence learned counsel could not attend the case and accordingly same was dismissed for non-prosecution. There is no intentional and deliberate laches on the part of the petitioners in dismissal of the aforesaid case.

Having regard to the facts and circumstances of the case, Cr. Misc. No. 43238 of 2019 is restored to its original file and accordingly aforesaid restoration petition is allowed.

(Prakash Chandra Jaiswal, J)

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