

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81679 of 2019**

**In
CRIMINAL MISCELLANEOUS No.35588 of 2019**

Arising Out of PS. Case No.-321 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Jitendra Singh @ Jitendra Kumar Son of Late Gaya Singh Resident of Village
- Kajur, P.s.- Atri, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER**

2 22-01-2020 Heard learned counsel for the petitioner and learned
counsel for the state.

This application has been filed by the petitioner for
restoration of Cr.Misc. No. 35588 of 2019 which was dismissed
for want of prosecution vide order dated 16.11.2019.

It is stated by the learned counsel for the petitioner
that since the counsel for the petitioner was out of Patna in
connection with treatment of his mother, he could not attend the
case when it was called out on 16.11.2019 as a result of which
the case was dismissed for want of prosecution. It is contended
that there was no deliberate or willful laches on the part of the
petitioner.



In view of the submissions made at the Bar, the prayer
is allowed. Cr.Misc. No. 35588 of 2019 is directed to be
restored to its original file.

(Ashwani Kumar Singh, J)

Pradeep/-

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