

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1600 of 2019
Arising out of
CRIMINAL MISCELLANEOUS No.28865 of 2014

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Om Prakash Kumar @ Lal Babu Pandit, aged about 36 years, Gender-Male, son of Gopi Pandit, Resident of Village- Dumra, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devanti Devi, aged about 32 years, Female, wife of Om Prakash Kumar @ Lal Babu Pandit, D/o Baldeo Pandit, Resident of Village- Modanganj, P.S.- Ghoshi, District- Jehanabad.

... .. Opposite Party/s

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With
CRIMINAL MISCELLANEOUS No. 1607 of 2019
Arising out of
CRIMINAL MISCELLANEOUS No.24508 of 2014

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1. Gopi Pandit, aged about 65 years, Gender-Male, son of Late Jagdish Pandit
2. Kunti Devi, aged about 60 years, Gender-Female, Wife of Gopi Pandit
3. Pramod Kumar @ Shyam Babu Pandit, aged about 34 years, Gender-Male, son of Gopi Pandit
4. Ranjeet Kumar @ Rambabu Pandit, aged about 27 years, Gender-Male, son of Gopi Pandit

All are Resident of Village-Dumra, P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devanti Devi, aged about 32 years, Female, wife of Om Prakash Kumar @ Lal Babu Pandit D/o Baldeo Pandit, Resident of Village- Modanganj, P.S.- Ghoshi, District- Jehanabad.

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 1600 of 2019)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate with
Mr. Bhaskar Shankar, Advocate
For the State : Mr. Amitesh Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 1607 of 2019)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate with
Mr. Bhaskar Shankar, Advocate
For the State : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 03-03-2021

Heard Mr. Krishna Prasad Singh, learned senior counsel along with Mr. Bhaskar Shankar, learned counsel for the petitioners in both the cases and Mr. Amitesh Kumar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State in both the cases.

2. The present applications have been filed seeking recall of order dated 02.01.2019 passed in Cr. Misc. No. 28865 of 2014 and Cr. Misc. No. 24508 of 2014 which were dismissed due to non-prosecution.

3. Learned counsel for the petitioners submitted that due to inadvertence the cases could not be marked and thus, nobody could appear. It was submitted that the present applications have been filed on 07.01.2019.

4. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the applications are allowed. The order dated 02.01.2019 passed in Cr.



Misc. No. 28865 of 2014 and Cr. Misc. No. 24508 of 2014 is recalled and the said cases stand restored to their original file and number.

(Ahsanuddin Amanullah, J)

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