

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 29319 of 2019**  
**Arising out of**  
**CRIMINAL MISCELLANEOUS No. 5073 of 2015**

Arising Out of PS Case No.-88 Year-2008 Thana- KARAHGAR District- Rohtas

Chandradeep Choubey, (Male, aged about 68 years), Son of Late Deo Sharan Choubey, Resident of Village- Nado, PS- Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate  
For the State : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL JUDGMENT**

**Date : 09-02-2021**

The matter has been heard *via* video conferencing.

2. Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioner and Mr. Md. Mushtaque Alam, learned Additional Public Prosecutor (APP) for the State.

3. The present application has been filed seeking recall of order dated 25.03.2019 passed in Cr. Misc. No. 5073 of 2015, which was dismissed due to non-appearance of learned counsel for the petitioner.

4. Learned counsel for the petitioner submitted that the case could not be marked on the said date due to which nobody appeared and the matter was dismissed.



5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court finds that sufficient cause has been shown for non-appearance of learned counsel for the petitioner resulting in dismissal of Cr. Misc. No. 5073 of 2015 on 25.03.2019.

6. Accordingly, the application is allowed.

7. The order dated 25.03.2019 passed in Cr. Misc. No. 5073 of 2015, is recalled and the said case stands restored to its original file and number.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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