

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45191 of 2019
Arising out of
CRIMINAL MISCELLANEOUS No.48951 of 2014

Arising Out of PS. Case No.-1066 Year-2010 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Bechan Das, aged 35 years (Male), son of late Brihaspati Das @ Virashpati Das, resident of village - Kaina, P.S.- Singhia, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi, wife of Bechan Das, D/o Gyani Das, resident of village - Kameshwar Nagar, P.S.- Hathauri, P.S.- Shivajee Nagar, Distt - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the State : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 30-01-2021

Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioner and Mr. Md. Iftekhar Mahmood, learned Additional Public Prosecutor (hereinafter referred to as the 'APP) for the State.

2. The present application has been filed seeking recall of order dated 06.03.2019 by which Cr. Misc. No. 48951 of 2014 was dismissed due to non-appearance of learned counsel for the petitioner.

3. Learned counsel for the petitioner submitted that he was ill and, so, he could not appear.



4. 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 on 06.03.2019 in Cr. Misc. No. 48951 of 2014, which stood dismissed on account of his non-appearance.

5. Accordingly, the order dated 06.03.2019 in Cr. Misc. No. 48951 of 2014 is hereby recalled. The said case stands restored to its original file and number.

6. The application stands allowed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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