

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38221 of 2019

Arising out of
CRIMINAL MISCELLANEOUS No. 7070 of 2015

Arising Out of Hathwa Case No.-1630 Year-2012 Thana- HATHWA District- Gopalganj

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1. Maharaj Bahadur Mrigendra Pratap Sahi, aged about 67 years, Male, Son of Late Maharaj Bahadur Gopeshwer Prasad Sahi, Resident of Village + Post +PS- Hathwa in the District of Gopalganj.
 2. Rani Poonam Sahi, Female, aged about 65 years, Wife of Maharaj Bahadur Mrigendra Pratap Sahi, Resident of Village + Post + PS- Hathwa in the District of Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through Circle Officer Hathwa, District- Gopalganj.
2. Amit Prasad, Son of Shri Sheonath Prasad, Resident of Village- Rattan Chauk PS- Hathwa, District- Gopalganj.
3. Ajay Rai, Son of Shri Akhileshwar Rai, Resident of Village- Pachara, PS- Siwan Muffasil, District- Siwan.
4. Rameshwar Prasad, Son of Late Ganesh Prasad, Resident of Village- Manichepur, PS- Hathwa, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anjani Kumar Mishra, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 02-02-2021

Heard Mr. Anjani Kumar Mishra, learned counsel for the petitioners and Mr. Jagdhar Prasad, learned APP for the State.

2. The present application has been filed for recall of the order dated 15.04.2019 by which Cr. Misc. No. 7070 of 2015 was dismissed due to non-appearance of learned counsel for the petitioners.



3. Learned counsel for the petitioners submitted that on 15.04.2019, he met with an accident and could not appear leading to dismissal of the case.

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 petitioners on 15.04.2019, due to which Cr. Misc. No. 7070 of 2015, stood dismissed.

5. In view thereof, the application is allowed. The order dated 15.04.2019 passed in Cr. Misc. No. 7070 of 2015, is recalled and the case stands restored to its original file and number.

(Ahsanuddin Amanullah, J.)

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