

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38119 of 2019

Arising out of
CRIMINAL MISCELLANEOUS No. 28816 of 2014

Arising Out of PS Case No.-43 Year-2012 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Dadan Pandey, aged about 60 years.
 2. Rang Nath Pandey, aged about 50 years.
Both sons of Late Pawan Kumar Pandey, both residents of Village- Bandu, PS- Nauhatta, PO- Dara Nagar, District- Rohtas, presently residing at Mohalla- Saket Nagar, Rauza Canal Road, PO + PS- Sasaram, District- Rohtas.
 3. Devesh Kumar Pandey.
 4. Kamlesh Kumar Pandey,
Both sons of Sri Rang Nath Pandey, both residents of Village- Bandu, PS- Nauhatta, PO- Dara Nagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Brij Nandan Pandey, Son of Shiv Nath Pandey, Resident of Village- Bandu, PS- Nauhatta, PO- Dara Nagar, District- Rohtas, at present Advocate Civil Court, Sasaram Present Address- Mohalla- Fajalganj, PO + PS- Sasaram, District- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Narayan Singh, Advocate
For the State	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-02-2021

Heard Mr. Rakesh Narayan Singh, learned counsel for
the petitioners and Mr. Yogendra Kumar Singh, learned Additional
Public Prosecutor (APP) for the State.



2. The present application seeks recall of order dated 02.01.2019 passed in Cr. Misc. No. 28816 of 2014, by which, due to non-appearance, the case was dismissed.

3. Learned counsel for the petitioners submitted that due to unfortunate circumstances, as counsel was in another Court, he could not appear in the present matter and the case was dismissed.

4. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the application is allowed.

5. Order dated 02.01.2019 passed in Cr. Misc. No. 28816 of 2014, is recalled and the said case stands restored to its original file and number.

(Ahsanuddin Amanullah, J.)

P. Kumar

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