

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41488 of 2022

In
CRIMINAL MISCELLANEOUS No.35113 of 2021

Arising Out of PS. Case No.-109 Year-2018 Thana- SANHAULA District- Bhagalpur

MD. ARSHAD @ MD. ARSHAD ALAM Son of Md. Nasiruddin @ Md. Naseer Resident of village - Sukhsaina, P.S.- Sanhoula, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirtyunjay Kumar Mishra

For the Opposite Party/s : Ms. Anita Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-10-2022 The present restoration petition has been filed seeking restoration of a petition bearing Criminal Miscellaneous No. 35113 of 2021, which has stood dismissed on account of non-prosecution by an order dated 18.4.2022.

The learned counsel for the petitioner has submitted that on account of inadvertence of the Advocate's clerk, the case could not be marked, hence, the learned counsel for the petitioner could not appear before this Court on the date and time when the same was taken up for hearing, resulting in dismissal of the same on account of non-prosecution.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and having gone through the averments made in the present petition, I deem it fit and proper to direct for restoring the aforesaid petition bearing Criminal Miscellaneous No. 35113 of 2021 to its original file.

The restoration petition stands allowed.

(Mohit Kumar Shah, J)

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