

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49298 of 2022

In
CRIMINAL MISCELLANEOUS No.25873 of 2021

Arising Out of PS. Case No.-298 Year-2019 Thana- GARKHA District- Saran

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Rana Pratap Yadav Son Of Yugal Kishore Rai Resident Of Village -
Panchviriya, P.S.- Garkha, District - Saran At Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi Daughter of Shiv Pujan Rai Resident of Village - Panchmiriya,
P.S.- Garkha, District - Saran at Chapra, At Present Resident of Mohalla -
Mouna Yadav Ahir Toli, West Side from Nehru Chowk, P.S.- Chapra Town,
District - Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-09-2022 The present petition has been filed for

restoration of Cr. Misc. No. 25873 of 2021 which was

dismissed for non-prosecution vide order dated

18.07.2022.

It is submitted by learned counsel for the petitioner that unfortunately due to viral fever on such very date, the petitioner could not appear before this Court, however he requested another advocate to take adjournment but when the case was called out at that



time, he was on leg in another bench, hence, nobody appeared and the case stood dismissed for non-prosecution.

It appears that earlier also adjournments were given to the learned counsel for the petitioner which gets reflected from the earlier orders passed by this Court which suggests that counsel for the petitioner is in habit of adjourning the case and lingering the matter for early disposal.

In that view of the matter, this Court is not inclined to restore Cr. Misc. No. 25873 of 2021 which stood dismissed for non-prosecution vide order dated 18.07.2022.

Accordingly, the petition stands dismissed.

(Sunil Kumar Panwar, J)

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