

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2836 of 2019

In
Criminal Writ Jurisdiction Case No.902 of 2019

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Md. Iftekhar @ Iftekhar Alam Son of Late Mohammad Mokhta, resident of
Mallick Tola, Kako, P.S.- Jehanabad, District- Jehanabad, Pin Code- 804418.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Home (Police), Bihar, Patna.
3. The Senior Superintendent of Police, Patna.
4. The S.H.O. Dhanarua Police Station, Patna.
5. The Superintendent of Police (East), Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad, Advocate
For the Opposite Party/s : Mr.Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date : 06-07-2022

MJC No.2836 of 2019

This application has been filed by the petitioner for restoration of Cr.WJC No.902 of 2019, which was dismissed for want of prosecution vide order dated 18.06.2019.

2. Learned counsel for the petitioner submitted that on 18.06.2019. counsel for the petitioner was suffering from fever and could not attend the Court. Thus, the list could not be marked and on calls, due to non-appearance of the lawyer, the case got dismissed. He submitted that non-appearance of the counsel was neither deliberate nor willful.



3. Learned counsel for the State does not oppose the prayer for restoration of the writ application.

4. Considering the submissions advanced at the Bar, Cr.WJC No.902 of 2019 is directed to be restored to its original file.

5. The application stands allowed.

Cr.WJC No.902 of 2019

6. After some arguments, Mr. Fakhruddin Ali Ahmed, learned counsel for the petitioner seeks leave to withdraw the present application with liberty to file an application under Section 482 of the Code of Criminal Procedure challenging the order dated 20.04.2017 passed in Dhanarua P.S. Case No.197 of 2016.

7. Leave is granted.

8. The application is disposed of.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NA
CAV DATE	NA
Uploading Date	07.07.2022
Transmission Date	NA

