

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31935 of 2023

In
CRIMINAL MISCELLANEOUS No.45388 of 2018

Arising Out of PS. Case No.-495 Year-2014 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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ALOK RANJAN CHOUBEY Son of Gupnath Choubey Resident of Village-
Bahera P.S. Kudra District Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kamlesh Tiwary, S/o Dipti Tiwary, R/o Village Katra Kala, P.S. Mohania,
Ditstrict-Kaimur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioner and the

learned APP for the State.

The present petition has been filed for restoration of a
petition bearing Cr. Misc. No.45388 of 2018, which has stood
dismissed for want of prosecution vide order dated 02.02.2023.

The learned counsel for the petitioner has submitted
that since the counsel for the petitioner was engaged in another
Court, he could not appear when the case was called out for
hearing, hence, the aforesaid petition was dismissed 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 as also considering the averments made in the present petition, I deem it fit and appropriate to direct for restoration of the aforesaid petition bearing Cr. Misc. No..45388 of 2018 to its original file.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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