

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.384 of 2017

Arising Out of PS. Case No.-45 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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Anil Kumar Khandelwal @ Anil Babu @ Anil Khandelwal, Son of Late Hari Prasad Khandelwal, Resident of 9/2, D/1, Gourapara Sarkar Lane, P.S. Ulta Danga, District-Kolkata (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manish Kumar Son of Surendra Prasad, Resident of Salempur, Gola Road, Dalpatti, Barh, P.S. Barh, District Patna, Partner – Proprietor M/s. M.J. Enterprises, Dal Mills, Salempur, Gola Road, Dalpatti, Barh, P.S. Barh, District Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Suresh Prasad Singh, APP.
For the O.P. No.2	:	Mr. Arun Kumar Arun, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 14-03-2023 No one appears on behalf of petitioner, however, learned A.P.P. for the State and learned counsel for the Opposite Party No.2 are present.

Learned counsel for the Opposite Party No.2 submits that the present Cr. Revision has been filed for setting aside the order dated 12.11.2013 passed in Complaint Case No.45 (C) / 2013 by which application under Section 205 Cr.P.C. filed by the petitioner for exemption of his personal appearance before the Court was rejected.

Learned counsel further submits that after cognizance

the petitioner is avoiding his appearance before the Trial Court. He further submits that petitioner has moved before this Court in Cr. Misc. No. 2020 of 2014 challenging the cognizance order which was also dismissed on 13.01.2017 and with a view to make delay the present application was filed on 03.04.2017.

The said fact has been placed on record by virtue of filing counter affidavit by the counsel for Opposite Party No.2.

From the records of the case, it transpires that on 25.02.2023 nobody appears on behalf of petitioner and this case was adjourned as a last indulgence, but today upon repeated call counsel for the petitioner is not present.

In this view of the matter, the present Cr. Revision is dismissed for default due to non prosecution.

(Dr. Anshuman, J.)

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