

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46555 of 2023

In
CRIMINAL MISCELLANEOUS No.51309 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- MAHILA P.S. District- Samastipur

MD NADIM @ MD NADIM SAKHAR @ MD NADEEM S/O MD. SOEB
@ MD. SOAIB RESIDENT OF VILLAGE- BALHA VISHWANATH WARD
NO 06 PO RAJWARA ROSERA PS KHANPUR DISTRICT- SAMASTIPUR
(BIHAR) PIN CODE- 848210

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. HEENA KHATOON D/O MD. NASRUDDIN R/O VILLAGE- BALHA
VISHWANATH, WARD NO. 06, P.O.- RAJWAARA, PS. KHANPUR,
DIST. SAMASTIPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivpujan Sahay
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-08-2023 The present petition has been filed for restoration of a writ petition bearing Criminal Miscellaneous No. 51309 of 2022, which has stood dismissed on account of non-prosecution, by an order dated 22.5.2023.

2. The learned counsel for the petitioner has submitted that the counsel for the petitioner had fallen ill suddenly and therefore, he could not attend the hearing of the case, when the case was called out for hearing on 22.5.2023, thus, a sympathetic view be taken and the aforesaid petition be restored to its original file.



3. 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 proper to restore the aforesaid writ petition bearing Criminal Miscellaneous No. 51309 of 2022 to its original file.
4. The present restoration petition stands allowed.

(Mohit Kumar Shah, J)

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