

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73967 of 2022

In
CRIMINAL MISCELLANEOUS No.52894 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- LAKHNAUR District- Madhubani

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Aman Kumar Choube @ Aman Kumar @ Aman Kumar Choubey Son Of
Late Bindeshwar Choubey R/V- Ward No. 12, Koshi Road, Bhumihar Tola,
P.O And P.S And Dist- Supaul 852131

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Jha
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner and

learned A.P.P for the State.

Re:-Interlocutory Application No. 1 of 2023

The present Interlocutory Application has been

filed for accepting fresh *Vakalatnama* and granting

permission to Mr. Satyendra Kumar Jha, learned counsel to

defend the case on behalf of the petitioner.

It is submitted by learned counsel for the

petitioner that earlier the petitioner had filed Cr. Misc. No.

52894 of 2021 for grant of anticipatory bail which was

dismissed vide order dated 28.06.2022 for non-appearance

of the learned counsel appearing on behalf of the petitioner.



The petitioner, thereafter filed fresh anticipatory bail petition being Cr. Misc. No. 48507 of 2022 which was withdrawn with an observation to file restoration petition.

In the present restoration petition, the petitioner has approached this Court for restoration of Cr. Misc. No. 52894 of 2021 with another learned advocate namely Satyendra Kumar Jha since the learned advocate namely Kumar Ravishankar who was appearing earlier in Cr. Misc. No. 52894 of 2021 had refused to give “No Objection”.

The petitioner is free to engage any advocate, if he thinks fit and proper for his case.

In the facts and circumstances, the Interlocutory Application No. 01 of 2023 stands allowed and the *Vakalatnama* filed on behalf of Mr. Satyendra Kumar Jha, learned advocate is accepted.

Cr. Misc. No. 73967 of 2022

The present petition has been filed for restoration of Cr. Misc. No. 52894 of 2021 which was dismissed for non-prosecution vide order dated 28.06.2022.

It is submitted by learned counsel for the petitioner that learned counsel who was engaged earlier



could not appear due to some personal difficulty while the case was called for. Therefore, the petition for grant of anticipatory bail stood dismissed for non-prosecution vide order dated 28.06.2022.

On the ground mentioned in the restoration petition, the same is allowed.

Accordingly, Cr. Misc. No. 52894 of 2021 is restored to its original file.

The petition stands allowed.

(Sunil Kumar Panwar, J)

Subham/Shageer

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