

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36477 of 2026

In
CRIMINAL MISCELLANEOUS No.37326 of 2018

Arising Out of PS. Case No.-574 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

Pankaj Kumar @ Pankaj Kumar Yadav @ Parshuram Kumar S/O Subelal
Yadav R/O Village - Jangipur, Police Station - Barbigha, District –
Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Devi W/o Pankaj Kumar R/o Village - Latra, Police Station -
Gopalpur,, District – Bhagalpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate.
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present Cr. Misc. Application has been filed
under Section 528 of the Bharatiya Nagarik Suraksha Sanhita,
2023 to restore the order dated 23.04.2026 passed by this Court
in Cr. Misc. No.37326 of 2018 which was dismissed for default
due to non-prosecution.

3. Learned counsel for the petitioner submits that due
to some confusion he could not appear before this Court and he
tenders unconditional apology for any inconvenience caused to
this Court.



4. Learned A.P.P. for the State submits that after getting the stay order dated 25.07.2023, the counsel for the petitioner deliberately did not appear in this case only to delay the trial.

5. This Court finds that earlier the stay in this case was granted *vide* order dated 25.07.2023 and it appears from the record that after getting the stay of proceedings, no one appeared on behalf of petitioner on several occasions i.e. on 03.02.2026, 06.04.2026 and thereafter on 23.04.2026, accordingly, the case was dismissed for want of prosecution.

6. In view of the submission of learned counsel for the parties and on perusal of the records, no ground is made out for restoration of above noted criminal miscellaneous application, accordingly, the same is dismissed.

(Sunil Dutta Mishra, J)

Ritik/-

U		T	
---	--	---	--

