

IN THE HIGH COURT OF JHARKHAND AT RANCHI
CrMP. no. 3506 of 2025

Manoj Kumar Modi, aged about 45 years, son of Late Mohan Lal Modi, resident of Kamalnath Road, Harmu Road, P.O. Harmu Housing Colony, P.S. Sukhdeonagar, District Ranchi (Jharkhand) ... Petitioner

Versus

1. The State of Jharkhand
2. Shiv Prasad Agarwal, aged about 56 years, son of Late Durga Prasad Agarwal, resident of Friends Colony, Pandra, P.O. Hehal, P.S. Sukhdeonagar, District Ranchi (Jharkhand).
... Opp. Parties

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rakesh Kumar , Adv.
For the State : Mr. Pankaj Kumar, PP
For the O.P.No. 2 : None

03 / 08.05.2026

Heard the parties. Though notice was validly served upon the Opp. Party no. 2 but no one turns up on behalf of the Opp. Party no. 2 in spite of repeated calls.

This criminal miscellaneous petition has been filed at the instance of the petitioner for restoration of Acquittal Appeal (C) No. 29 of 2025 to its original file.

Learned counsel for the petitioner submits that the Acquittal Appeal (C) No. 29 of 2025 was dismissed for non-prosecution vide order dated 14.08.2025. Learned counsel for the petitioners submits that as the case could not be marked, hence, the conducting counsel could not appear in the Court when the case was called out, which resulted in dismissal of Acquittal Appeal (C) No. 29 of 2025. It is further submitted that the petitioner has very good grounds to agitate in the said acquittal appeal and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that Acquittal Appeal (C) No. 29 of 2025 be restored to its original file.

Learned P.P. has no serious objection for the prayer of restoration.

Considering the aforesaid submission of the learned counsel for the petitioner, Acquittal Appeal (C) No. 29 of 2025 is restored to its original file to the stage, at which, it was before its dismissal.

List Acquittal Appeal (C) No. 29 of 2025 after a week before an appropriate Bench.

This criminal miscellaneous petition is disposed of accordingly.

(ANIL KUMAR CHOUDHARY, J.)

Dated 08.05.2026
Smita/-