

[2026:JHHC:10437]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3536 of 2025

Anupam Kishore Prasad aged about 66 years son of Late Awadh Kishore Prasad, resident of Neemtand, Kedal, P.O. and P.S. Mesra, District Ranchi (Jharkhand) ... Petitioner

Versus

1. The State of Jharkhand

2. Md. Saleem Ansari son of Md. Hasibuddin Ansari, resident of Bhuinya Chitaro, Topchanchi, Gomo, P.O. and P.S. Gomo, District Dhanbad (Jharkhand) ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Kundan Kr. Ambastha, Advocate
For the State : Mr. Shailendra Kr. Tiwari, Spl. P.P.
For the O.P. No.2 : None

Order No:-03 Dated:-10-04-2026

Heard the parties.

Though notice has validly been served upon the opposite party No.2 yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

This criminal miscellaneous petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. (Filing) No.962 of 2025 to its original file which stood dismissed for non-prosecution on 26.11.2025 by this Court.

It is submitted by the learned counsel for the petitioner that Cr.M.P. (Filing) No.962 of 2025 stood dismissed for non-prosecution on 26.11.2025 by this Court. It is next submitted that the counsel for the petitioner could not mark the case in the list, hence, no one appeared before this Court when the said Cr.M.P. (Filing) No.962 of 2025 was called out resulting in dismissal of the said Cr.M.P. (Filing) No.962 of 2025 for non-prosecution. It is next submitted that non-prosecution before this Court on 26.11.2025 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. (Filing) No.962 of 2025 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that Cr.M.P. (Filing) No.962 of 2025 be restored to its original file.

Learned Spl. P.P. appearing for the State has not raised any serious objection.

Considering the facts of the case and the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. (Filing) No.962 of 2025 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list Cr.M.P. (Filing) No.962 of 2025 before the concerned Bench after a week.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated-10.04.2026-Animesh/