

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20388 of 2015

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Manoj Sao & Ors

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Ganesh

For the Opposite Party/s Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 29.04.2015

Heard.

Cr. Misc. no. 47314/2013 stood dismissed on 2.3.2015 due to non-compliance of peremptory order and this restoration petition has been filed for restoration of the above stated Cr. Misc. no. 47314/2013 on the ground that necessary requisites had been filed on 13.12.2013 under the impression that one week's time had been granted to the petitioners to file requisites but unfortunately, requisites were filed after one day of the expiry of stipulated period.

In view of the aforesaid facts as well as submissions, this application is allowed and Cr. Misc. no. 47314/2013 is restored to its original file and number and office is directed to issue notice to opposite party no.2 of the aforesaid criminal miscellaneous and list Cr. Misc. no. 47314/2013 under appropriate heading after service of notice or

appearance of opposite party no.2 whichever is earlier.

Furthermore, further proceeding of Pirpanti P.S. Case no. 222/2004 pending in the court of the Chief Judicial Magistrate, Bhagalpur shall remain stayed till further order of this court.

Accordingly, this restoration petition stands disposed of.

Shahid

(Hemant Kumar Srivastava,J)

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