

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37626 of 2016**

- =====
1. Rakesh Ram Son of Late Nathuni Ram,
  2. Kailash Ram son of Late Mangru Ram
  3. Parmeshwar Ram Son of Late Vishun Ram.
  4. Ramesh Ram, Son of Late Vishun Ram.
  5. Mohan Ram son of Basudev Ram, All are resident of Mohalla-  
Ambedkar Colony, Baswariya, P.S. Bettiah Town, District- West  
Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Firoj Alam Son of Late Sharif Khan resident of Baswariya Bettiah  
(Town) District- West Champaran. Permanent resident of Mirjapur  
Tilangahi, P.S. Bairiya, District West Champaran.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kr. Singh-5(APP)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      07-09-2016                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

Petitioners seek restoration of Cr. Misc. No.  
26533 of 2011, which stood rejected on 19.01.2012, as the order  
of this Court dated 13.01.2012 has not been fully complied with.

It has been submitted by the learned counsel for  
the petitioners that under some misconception only one set of  
requisites for issuance of notice under both processes had been  
filed on 16.01.2012, but another set of requisites on another  
address was not filed. He submits that he had filed an inspection

slip in 2013 itself but the file could not be traced and when he got latest information on his mobile he came to know about the fate of the said application. He further submits that he is ready to file requisites by both processes in pursuance to the order dated 13.01.2012.

In view of the submission of the learned counsel for the petitioners, let Cr. Misc. No. 26533 of 2011 be restored to its original file and number and petitioners should take steps for notice by both process within a week in pursuance to the order dated 13.01.2012, failing which this application shall stand rejected without further reference to a Bench.

This application is, accordingly, allowed.

**(Nilu Agrawal, J.)**

Rajesh/-

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