

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57028 of 2015

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Ved Prakash Nayak @ Nanujee son of Late Mukund Nayak, resident of
village-Rosera near Registry Office, P.S.-Rosera, District- Samastipur
..... Petitioner/s

Versus

1.State of Bihar
2. Md. Jamal son of Late Tahir, resident of village-Sibeya, P.S.-Singhiya,
District- Samastipur

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This application under Section 482 of the Code of Criminal Procedure has been filed for restoration of Cr. Misc. No.10875 of 2012 as against opposite party no.2 which stood dismissed for non-compliance of the order dated 18.11.2014 passed by this Court whereby the petitioner was directed to take steps for fresh service of notice to opposite party no.2 on present and correct address under both process i.e., ordinary and registered post.

It has been contended by the learned counsel for the petitioner that notices were already filed in compliance with the aforesaid order.

The above contention of the petitioner is not found correct from the record of the case. The Registry has recorded that notices were not filed within peremptory time granted by the Court and, thus, the case was dismissed on 2nd December, 2014 as against opposite party no.2 by virtue of the aforesaid order.

I see no reason for restoration of the application as against opposite party no.2. Hence, the present application under Section 482 of the Code of Criminal Procedure is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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