

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41570 of 2016

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Babban Mishra, son of late Baleshwar Mishra, resident of village-Keshavpur, P.S.- Semra, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Harendra Prasad, son of late Nageshwar Prasad, resident of village-Rohra Kala, P.S.- Badhariya, District- Siwan.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kundan Kumar, Advocate.

For the State : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for restoration of Cr. Misc. 34822 of 2013 which stood dismissed for non-compliance of the order dated 10.8.2016 passed by this Court.

It is stated that by the order dated 10.8.2016, the petitioner was granted one week pre-emptory time to file requisites for issuance of notice to the opposite party no. 2 but since the counsel for the petitioner had gone to Deoghar on 13th of August, 2016 and returned back to Patna on 18.8.2016, the requisites for issuance of notice could not be filed within time and it was filed on 19th of August, 2016.

Regard being had to the submission made at the Bar,
the prayer is allowed.

Let Cr. Misc. 34822 of 2013, be restored to its
original file.

(Ashwani Kumar Singh, J)

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