

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4296 of 2012

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1. Kamal Kishore Singh S/O Late Ramlakhan Singh Resident Of Village - Akhatwara , P.S. - Hathauri , District - Samastipur.
 2. Lalbahadur Bhartiya S/O Umakant Singh Resident Of Village - Mahdeva , P.S. Hathauri , District - Samastipur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Md. Illias, Branch Manager, Samastipur Kshetriya Gramin Bank, Shivajeenagar, P.S. Hathauri, District-Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Bank : Mr. Ranjeet Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 22-06-2016 Heard Mr. Ashok Kumar Mishra, the counsel for the petitioners and Mr. Ranjeet Kumar Pandey for the respondent-Bank.

The application seeks restoration of Cr. Misc. No. 38376 of 2007, which is dismissed for non-compliance of the order dated 12.08.2010, wherein the petitioner was required to furnish requisites within seven days for notice on O.P. No. 2.

In the supplementary affidavit, it is stated that those requisites were filed five days before the date of expiry of the time granted in the said order. On perusal of paragraph 2, it appears that the petitioners filed requisites on 24.08.2010. The reasons for doing so have been explained.

Considering the above and after hearing both sides, the application is allowed. The time granted in order dated 12.08.2010 passed in Cr. Misc. No. 38376 of 2007 is extended to 24.08.2010, subject to deposit a sum of Rs. 250/- with the Patna High Court Legal Services Committee and filing the receipt within (02) weeks’.

Mr. Mishra has also undertaken to serve two copies of the quashing application within the same time on the counsel for O.P. No. 2

(Kishore Kumar Mandal, J)

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