

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1791 of 2015

In
Cr. WJC 97 of 2015

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Ashwani Kumar son of Karyanand Pathak, resident of village- Puneshara,
Police Station- Jairampur More and District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.

2. Janardan Pathak.

3. Devanand Pathak,

Both sons of Late Radhe Shyam Pathak

4. Parmanand Pathak.

5. Nitya Nand Pathak.

Both sons of Janardan Pathak.

All residents of village- Puneshara, Police Station- Jairampur More and
District- Sheikhpura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-01-2016 By way of the present MJC application, the petitioner

seeks restoration of CrWJC No. 97 of 2015 which was

dismissed for non-compliance of the peremptory order dated

30.01.2015 passed by this Court.

It has been contended that earlier an application for

restoration of Cr WJC No. 97 of 2015 was filed under Section

482 of the Code of Criminal Procedure, 1973, but the same was

allowed to be withdrawn vide order dated 29.04.2015 so that a proper MJC application for restoration of the writ petition may be filed. Accordingly, the instant MJC has been filed.

Upon hearing learned counsel for the petitioner and perusing the record, the application is allowed.

Let CrWJC No. 97 of 2015 be restored to its original file.

Let the defects, if any, in the aforesaid writ petition be removed within one week from today failing which the present order shall stand recalled.

(Ashwani Kumar Singh, J.)

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