

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8354 of 2016

Arising out of PS Case No.-35 Year-2009 Thana SAHARSA COMPLAINT CASE District
SUPAUL

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1. Md. Hafij Sah, son of Md. Sahid Sah.
2. Md. Ramin Sah, Son of Md. Hafij Sah.
3. Bibi Rajila Khatoon, wife of Md. Ishak.
4. Bibi Bano Khatoon, Wife of Md. Hafij,
All are resident of Village Mirganj, Dhadhidhatta, Uttar Tola, P.S.
Kishanpur, District- Supaul.

.... Petitioners

Versus

1. The State of Bihar.
2. Bibi Kaushar, wife of Md. Ramin Sah, daughter of Md. Tafejul Sah,
resident of Village- Nauhatta, P.S. Nauhatta, District- Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, Advocate

For the State : Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-03-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners submits that
peremptory order dated 14.10.2015 passed in Cr. Misc. No. 29040
of 2014 could not be complied within time as the Advocate's
clerk suddenly left for his native village owing to illness of his
mother. In any event, it is submitted that the requisites for fresh
notice were filed belatedly on 09.11.2015 and as such the delay
has occurred.

3. For the reasons stated in the restoration petition,
the prayer for restoration is allowed and Cr. Misc. No. 29040 of

2014 is restored to its original file.

4. Cr. Misc. No. 8354 of 2016 stands disposed of.

(Vikash Jain, J)

