

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70421 of 2018

In
Criminal Miscellaneous No.15721 of 2015

Arising Out of PS. Case No.- Year- Thana- District- Bhojpur

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1. Sunil Sao, son of Lalbahadur Sao
 2. Lal Bahadur Sao, son of Daroga Sao
- Both residents of village Deo Chanda, P.S. Piro, Distt. Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi, wife of Sunil Sao, resident of village Deochanda, P.S. Piro, Distt. Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Lallan Singh, Advocate.
For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and State.

This application has been filed for restoration of Cr. Misc. 15721 of 2015 which was dismissed in default on 7.8.2018 on the ground of non-compliance of the order dated 31.07.2018 passed in Cr. Misc. 15721 of 2015.

Counsel for the petitioner submits that petitioner was given one week's time to file requisites for issuance of notice under both processes. Counsel for the petitioner further submits that petitioner was under impression that two weeks' time has been given for filing requisites for notice. He has filed requisites on 8.8.2018 just one day after expiry of one week.



As per office notes, the requisites of notices under registered cover and ordinary process has been filed by the petitioner on 8.8.2018.

In such circumstances, let requisites of notices filed by the petitioner be accepted and Cr. Misc. No.15721 of 2015 be restored to its original file and number.

(Sanjay Priya, J)

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