

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59752 of 2017

=====

Shambhu Prasad Sah, son of Late Baldeo Sah, resident of Village- Lohchi,
P.S. Kharagpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Barun Kumar @ Barun Kumar Sah, son of Pitambar Sah, resident of
Village- Lohchi, P.S. Kharagpur, District Munger.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

This application has been filed on behalf of the
petitioner for restoration of Criminal Misc. No.47326 of 2017,
which stood dismissed due to non-compliance of the Court's
peremptory order dated 06.10.2017.

Learned counsel for the petitioner submits that vide
Court's peremptory order dated 06.10.2017 passed in Criminal
Misc. No.47326 of 2017, notice was directed to be issued to the
opposite party no.2 under ordinary process as well as registered
cover with A/D for which requisites etc. were to be filed within
four weeks from the date of the aforesaid order. The said order



could not be complied with within time but, now, the said order has been complied with by filing the requisites for sending the notice to the opposite party no.2 on 15.11.2017 under ordinary process as well registered cover with A/D.

In view of the submission of the learned counsel for the petitioner, Criminal Misc. No.47326 of 2017 is restored to its original file and number, subject to verification by the office regarding the filing of requisites for sending the notice to the opposite party no.2 under ordinary process as well as registered cover with A/D on 15.11.2017 in compliance of the order dated 06.10.2017 passed in Criminal Misc. No.47326 of 2017 by this Court. If the same has been done, the office will proceed with the case accordingly.

This application is, accordingly, disposed of.

Let this order be communicated to the court of Sri Anand Kumar Tripathi, Judicial Magistrate, First Class, Munger, in connection with Complaint Case No.998C of 2012.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

