

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73621 of 2018

In
Criminal Miscellaneous No.33937 of 2016

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

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1. Chhotaki Devi wife of Bindey Sahani
 2. Bhuliya Devi @ Bholi Devi wife of Ramdeo Sahani, Both are Village Khojpur, P.S. Babubarhi, District- Madhubani.
 3. Raj Deo Sahani, son of Late Bachha Sahani, resident of Village- Pathrahi, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

This application has been filed for restoration of the order dated 17.09.2018 passed in Cr. Misc. no. 33937/2016 in its original, by which petitioners have been directed to file requisites for issuance of notice to opposite party no. 2 through both processes for which requisites must be filed within ten days peremptory in connection with Babubarhi P.S. Case No. 147/2008 to the satisfaction of learned Additional Chief Judicial Magistrate II, Madhubani.

The office reported that requisites have not been filed by the petitioners within time. Petitioners have mentioned in the



petition that notice could not be filed within time because advocate clerk has gone to his village for urgent reason.

This court is not satisfied with aforesaid explanation. It shows sheer negligence that requisites for notice was not filed within time granted by this court. Accordingly, restoration petition is rejected. The order passed by this court dated 17.09.2018, has already come into effect.

(Sanjay Priya, J)

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