

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67926 of 2018

In
Criminal Miscellaneous No.24043 of 2018

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

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Ripusudan Singh, S/o Late Jagadish Singh, R/o Village- Jamapur, P.O.+P.S.-
Jeeradei, District- Siwan, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Radha Devi, W/o Late Madhusudan Prasad Singh, R/o Village- Jamapur, P.S.
+P.O.- Jeeradei, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajeet Singh
For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

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

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for restoration of Cr.Misc. No. 24043 of 2018, which was dismissed for non-compliance of the order dated 21.08.2018.

Learned counsel for the petitioner submitted that on 21.08.2018 the petitioner was granted two weeks time to remove the defects, as pointed out by the Registry. Since there was a minor defect on the index page, he removed the defect on the index page of the first copy of the petition within time but inadvertently the defect on the second and third copy of the



petition could not be removed as a result of which the application was dismissed. He submitted that either the said minor defect may be ignored or the petitioner be allowed to remove the defect on the second and the third copy of the petition after restoring Cr.Misc. No. 24043 of 2018.

Learned counsel for the State does not oppose the prayer of the petitioner.

Considering the facts and circumstances of the case and the submissions made above, the prayer is allowed. Cr.Misc. No. 24043 of 2018 is restored to its original file.

Cr.Misc. No. 24043 of 2018

The petitioner shall remove the defects, which have yet not been removed in the second and third copy of the petition, within ten days from today.

(Ashwani Kumar Singh, J)

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