

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58517 of 2018

In
Criminal Miscellaneous No.31668 of 2011

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1. Ram Shekhar Singh,
 2. Ram Kumar Singh
Both Sons of Late Rameshwar Singh,
 3. Ram Prit Singh S/o Late Bachhan Singh,
All resident of village- Samrtha, P.S.- Bibhutipur, District-
Samastipur.

... .. Petitioners

Versus

1. The State of Bihar.
2. Amresh Kumar Singh S/o Late Ram Karan Singh, R/o Vill.- Samrtha, P.S.-
Bibhutipur, District- Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.
Mr. Abhishek Kumar, A.P.P.
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 10-10-2018 Heard Sri Abhishek Kumar, learned counsel for the

petitioners and Sri Pranav Kumar, learned Addl. Public

Prosecutor.

The present petition has been filed with a prayer to
restore Cr. Misc. No. 31668 of 2011, which stood dismissed due
to non-compliance of peremptory order dated 06-03-2014.

Learned counsel for the petitioners submits that due to
mistake, the peremptory order has not been complied and no
requisites were filed within time. He submits that since the
petition was admitted for hearing, the petitioners failed to track



the case and this is the reason that the present restoration petition has been filed belatedly. It was submitted by learned counsel for petitioners that if Cr. Misc. No. 31668 of 2011 is restored to its original file, he will comply the order dated 06-03-2014 by 31st October, 2018.

In view of fact disclosed in the restoration petition, same is allowed.

Let Cr. Misc. No. 31668 of 2011 be restored to its original file with condition that if the order dated 06-03-2014 passed in Cr. Misc. No. 31668 of 2011 is not complied with by 31st October, 2018, Cr. Misc. No. 31668 of 2011 shall stand dismissed without further reference to a Bench.

(Rakesh Kumar, J.)

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