

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58893 of 2018

In
CRIMINAL MISCELLANEOUS No.53261 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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1. Laxmi Purvey S/o Late Feku Purvey,
 2. Arun Purvey S/o Laxmi Purvey,
 3. Anil @ Bhola Purvey S/o Late Laxmi Purvey,
 4. Upendra Purvey S/o Late Laxmi Purvey,
All residents of Vill.- Jainagar Ramghat, Ward No. 2, P.S.- Jainagar District-
Madhubani.

... .. Petitioners

Versus

1. State Of Bihar
2. Sushil Kumar Purvey S/o Sri Ram Lochan Purvey, Residents of Vill.-
Jainagar Ramghat, Ward No. 2, P.S.- Jainagar , District- Madhubani.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Ratanakar Jha, Advocate
For the State	:	Smt. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 07-08-2019 This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for restoration of Cr. Misc. No. 53261 of 2017 to its original file, as the same has been dismissed due to non-compliance of the peremptory order dated 24.07.2018 passed by this Court.

Learned counsel for the petitioner submitted that in filing requisites for issuance of notice to opposite party no. 2 delay of one day occurred as a result of which Cr. Misc. No. 53261 of 2017 stood dismissed due to non-compliance of the



order. He contended that due to inadvertence of the lawyer's clerk, delay of one day was caused in compliance of the order passed by the court. The delay caused was neither intentional nor deliberate.

Having regard to the submissions made above, the restoration application is allowed.

Cr. Misc. No. 53261 of 2017 is restored to its original file.

(Ashwani Kumar Singh, J)

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