

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42714 of 2019
Arising out of
CRIMINAL MISCELLANEOUS No.22746 of 2016

1. Nazia Fathima aged about 38 years female, Wife of Saddam Ahamed @ Saddam Hussain, D/o Mr. Reyaz Ahmad Resident of Door No. 223 Ashirwad B.M. Sri Kantaiaha Road, New Raghavendraswamy Temple, S.S. Puram Post, Tumkur, Distt - Tumkur, Karnataka.
2. Md. Reyaz Ahmad @ Md. Reiaz Ahmad, aged about 70 years Male, Son of Late Safi Ahmed Resident of Door No. 223 Ashirwad B.M. Sri Kantaiaha Road, New Raghavendraswamy Temple, S.S. Puram Post, Tumkur, Distt - Tumkur, Karnataka.
3. Nazeera Bano aged about 30 years, female daughter of Md. Reyaz Ahmed Resident of Door No. 223 Ashirwad B.M. Sri Kantaiaha Road, New Raghavendraswamy Temple, S.S. Puram Post, Tumkur, Distt - Tumkur, Karnataka.
4. Sakiya Azami aged about 30 years, female D/o Md. Reyaz Ahmed Resident of Door No. 223 Ashirwad B.M. Sri Kantaiaha Road, New Raghavendraswamy Temple, S.S. Puram Post, Tumkur, Distt - Tumkur, Karnataka.
5. Nadeem Ahmed age about 36 years Son of Md. Reyaz Ahmed Resident of Door No. 223 Ashirwad B.M. Sri Kantaiaha Road, New Raghavendraswamy Temple, S.S. Puram Post, Tumkur, Distt - Tumkur, Karnataka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sehnaz Ahmed Wife of Moinuddin Ahmed Resident of Neesha Building, Haal Sahebki Kotthi, Mohalla Chandwara, P.S.- Nagar, Distt - Muzaffarpur.

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Anisur Rahman, Advocate
For the State : Mr. Indra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 20-12-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The present application has been filed for extension of the peremptory time granted for removal of defects by order dated 04.02.2019 passed in Cr. Misc. No. 22746 of 2016 which resulted in dismissal of the application, as compliance was not ensured within time.

3. Learned counsel for the petitioners submitted that due to inadvertence and some compelling reasons the order dated 04.02.2019 passed in Cr. Misc. No. 22746 of 2016 was not complied with in time. However, it was submitted that the same has been complied on 26.06.2019.

4. Having considered the matter, the Court finds that sufficient cause has been shown for non-compliance of order dated 04.02.2019 passed in Cr. Misc. No. 22746 of 2016 within time.

5. Accordingly, the order dated 04.02.2019 passed in Cr. Misc. No. 22746 of 2016 stands modified to the extent that the time allowed for removal of defects stands extended to 26.06.2019. However, the same shall be verified by the office. If it



is found correct, Cr. Misc. No. 22746 of 2016 shall stand restored to its original file and number.

6. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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