

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46731 of 2019**

**In
CRIMINAL APPEAL (SJ) No.4139 of 2018**

Arising Out of PS. Case No.-58 Year-2015 Thana- SC/ST District- Sitamarhi

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1. Bikau Rai @ Bikau Yadav Son of Tula Rai
 2. Jitendra Rai Son of Tula Rai
 3. Loha Singh @ Rajgir Rai Son of Late Bawichan Rai
All Resident of Village - Posua, P.S.- Riga, District - Sitamarhi
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 21-08-2019 Cr. Appeal (SJ) No.4139 of 2018 was dismissed for
non-compliance of peremptory order 21.12.2018.

For substantial justice, the dismissal of Cr. Appeal
(SJ) No. 4139 of 2018 is hereby set aside and the aforesaid
criminal appeal is ordered to be restored to its original file with
condition that the petitioner would deposit Rs.250/- in the
Victim Compensation Fund. Two weeks' further time is allowed
for removal of the defects.

Accordingly, the application stands allowed.

(Birendra Kumar, J)

Mkr./-

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