

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46725 of 2019

In
CRIMINAL MISCELLANEOUS No.7591 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Ajit Kumar, aged about 35 years (M), Son of Rama Nand Singh, Resident of village-Maranchi Charbhaiya Tola, P.S. Maranchi, District- Patna, at present resident of Village Rampur (Purvari Tola), P.S. Suryagarha, District- Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar
2. Rupam Kumari, daughter of Rama Shankar Kumar, resident of village and P.S. Hathidah, District- Patna, at present wife of Ajit Kumar, Village- Rampur (Purvari Tola), P.S. Suryagarha, District- Lakhisarai.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 31-07-2019 Heard Sri Premchandra Yadav, learned counsel for the petitioner and Sri Ajay Kumar Jha, learned Addl. Public Prosecutor.

The present petition has been filed for restoration of Cr.Misc.No.7591 of 2019, which stood dismissed due to non-compliance of peremptory order dated 04.04.2019.

Learned counsel for the petitioner, by way of referring to the fact disclosed in the petition, submits that earlier ten days time was granted to file requisites for issuance of notice to Opp.Party no.2 but due to mistake requisites could not be filed



within time. However, he submits that requisites in compliance with order dated 04.04.2019 was filed after expiry of peremptory time, which was not intentional.

Considering the facts and circumstances, the restoration petition is allowed.

Let Cr.Misc.No.7591 of 2019 be restored to its original file with condition that order dated 04.04.2019 passed in Cr.Misc.No.7591 of 2019 must be complied with within two weeks, failing which Cr.Misc.No.7591 of 2019 shall stand dismissed without further reference to a Bench.

(Rakesh Kumar, J.)

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