

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.81 of 2020

In
Criminal Writ Jurisdiction Case No.1396 of 2019

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Vijay Kumar, son of Krishnachandra Prasad Sinha, resident of Sri Vihar,
Mohalla Gannipur, P.s. Kaji Muhammadpur, District Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Home Government of Bihar,
Old Secretariat, Patna.
2. The Principal Secretary, Home, Government of Bihar, Old Secretariat, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Sub Divisional Office, East, Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Suraj Samdarshi
For the Opposite Party/s : Mr.Prabhat Kumar Verma (Aag 3)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 26-02-2020 This application has been filed for restoration of

Cr.W.J.C. No. 1396 of 2019, which was dismissed due to non-

compliance of the peremptory order dated 01.10.2019 passed by

the Court.

It is submitted by the learned counsel for the
petitioner that in a bonafide manner the petitioner deposited
additional court fee with respect to the second relief under the
impression that the same would be treated to be removal of
defect. However, it appears that the office has refused to accept
the additional court fee for the purpose of second relief. It is
further contended that if so allowed the petitioner would confine
his prayer in the writ petition only with respect to Case No. M



1310 of 2019 and would delete the prayer made in the writ petition with respect to Case No. M 269 of 2019.

Learned counsel appearing for the State does not oppose the prayer for restoration of the writ petition in case the petitioner confines his prayer to only one relief in the writ petition.

In that view of the matter, this application is allowed and Cr.W.J.C. No. 1396 of 2019 is directed to be restored to its original file.

The petitioner is also permitted to delete prayer no. (ii) in para 1 of Cr.W.J.C. No. 1396 of 2019 in the course of the day.

(Ashwani Kumar Singh, J)

Pradeep/-

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