

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6580 of 2020

In
CRIMINAL MISCELLANEOUS No.77758 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- BHAGWANPUR District- Vaishali

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Shambhu Nath Singh, aged about 40 years, Sex-Male, Son of Late Yugeshwar Singh, Resident of Village - Rusulpur Sohawan, P.S.- Bhagwanpur, Dist.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-01-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Learned counsel for the petitioner has filed Cr. Misc. No.6580 of 2020 for restoration of Cr. Misc. No.77758 of 2019. By order dated 28.11.2019, four weeks' time was granted to the learned counsel for the petitioner to remove the defect, but the same has not been removed and Cr. Misc. No.77758 of 2019 has been dismissed for default.

Learned counsel for the petitioner further submits that the Stamp Reporter points out the defect no.6(1) regarding certified copy of enclosures may also be filed with proper pagination and a fee as details stated at fardbeyan. Learned



counsel for the petitioner submits that the petitioner has applied for the said certified copy of the F.I.R. along with its enclosure but the report has been issued on 04.01.2019 that the enclosure does not attach in F.I.R. (Annexure-1 of the modification petition).

In the facts and circumstances, Cr. Misc. No.77758 of 2019 is restored to its original file and defect no.6(1) as pointed out by the Stamp Reporter is ignored.

Learned counsel for the petitioner further submits that regarding defect no.6(2), typed copy of page nos.13 and 14 may be filed within one week.

Learned counsel for the petitioner is directed to file typed copy of page nos.13 and 14 within one week.

This restoration petition is allowed after filing of the said typed copy of the petition.

Put up this case for admission.

(Anjani Kumar Sharan, J)

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