

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81761 of 2019

In
CRIMINAL MISCELLANEOUS No.51325 of 2019

Arising Out of PS. Case No.-568 Year-2015 Thana- COMPLAINT CASE District- Jamui

Prakash Raj @ Prakash Das, Son of Ghanshyam Das Resident of Village-
Beechgarha, Police Station- Chakai, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi, W/o Prakash Raj @ Prakash Das, D/o Bharosi Das Resident of
Village- Naihar Bojhayat, Police Station- Sono (Charka Patthar), District-
Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2020 Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel appearing on behalf of the petitioner and learned
counsel appearing on behalf of the State.

The present application has been filed for restoration
of Cr. Misc. No.51325 of 2019 which got dismissed for default
due to non-compliance of the peremptory order.

Learned counsel for the petitioner submits that the
requisites for issuance of notice on Opposite Party No.2 were to
be filed by 29th August, 2019 but due to inadvertence, the same
could not be filed within time and has been filed on 24.09.2019
after some delay.



After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the statement made in the restoration application, the same is allowed and Cr. Misc. No.51325 of 2019 is restored to its original file.

Accordingly, the office is directed to accept the requisites for issuance of notice on Opposite Party No.2 which has been filed with some delay and the office is further directed to take steps for issuance of notice on Opposite Party No.2 in accordance with law.

(Anil Kumar Sinha, J)

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