

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Cr. Misc. No. 43551 of 2021**

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1. Uttam Paswan, s/o Ramdeo Paswan

2. Purushottam Paswan, Ramdeo Paswan

Both are residents of Mahisauri, PS+Dist- Jamui .... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the State : Ms. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL ORDER**

2 18-08-2021

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

The present petition has been filed for restoration of a petition bearing Cr. Misc. no. 81331 of 2019, which has stood dismissed for default on account of non-compliance of the peremptory order dated 09.12.2019.

The learned counsel for the petitioner has submitted that on account of the petitioners' counsel being ill, he could not remove the defects within the stipulated time, hence a liberal



view may be taken.

Per contra, the learned APP for the State Ms. Rita Verma does not oppose the prayer of the petitioners for restoration.

Considering the averments made in the present petition and taking into account the submission made by the learned counsel for the petitioners, I deem it fit and proper to restore the aforesaid petition bearing Cr. Misc. no. 81331 of 2019 to its original file, subject to removal of the defects by the petitioner within a period of six weeks from today, for which this Court authorizes the Ld. Counsel of the petitioners to remove the defects by physical mode.

The petition stands allowed on the aforesaid terms.

(Mohit Kumar Shah, J)

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