

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10650 of 2021
In
CRIMINAL MISCELLANEOUS No.29146 of 2014

Arising Out of PS. Case No.-410 Year-2011 Thana- KOTWALI District-
Patna

- =====
1. Md. Naushad Ali S/o Md. Yunus Ali R/o village and P.S.- Dumraon, District- Buxar
 2. Juber Alam @ Jaibar Alam @ Md. Juber Alam S/o Md. Yunus Ali R/o village and P.S.- Dumraon, District- Buxar

... .. Petitioners

Versus

1. The State of Bihar
2. Sambhu Nath Mishra S/o Late Kahniya Mishra R/o village- Karnampur, P.S.- Shahpur, District- Bhojpur, presently resided at House No. 18, Shri Deepak Srivastava, Hanuman Nagar new Punnichak, Patna- 23

... .. Opposite Party/s

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Appearance :

For the Petitioners : Mr. Pravin Kumar, Advocate
For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 23-06-2021 Heard learned counsel for the petitioners and learned APP for the State through video conference. Learned counsel for the petitioners undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The present petition has been filed *'for restoration of Criminal Miscellaneous No. 29146 of 2014 which was dismissed for*



non-prosecution by order dated 09.12.2014.”

3. It is submitted that learned counsel for the petitioners had suddenly taken ill and could not attend Court on the date when the matter was taken up, leading to its dismissal for non-prosecution.

4. The petitioners seek restoration of a matter which was dismissed more than six years ago on 09.12.2014 and no satisfactory explanation has been offered for such delay in approaching this Court for restoration.

5. This Court is therefore not satisfied that any reasonable ground for restoration has been made out. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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