

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6338 of 2021**

In

CRIMINAL MISCELLANEOUS No.7260 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- JALALGARH District- Purnia

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Bharat Kumar Chauhan Son of Ramdev Chouhan, Resident of Village-
Seema, P.S.- Jalalgarh, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

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

2 25-01-2021 At the outset, the learned counsel for the petitioner seeks permission to make correction in 1st paragraph of the present petition as also in the prayer portion thereof to the effect that the number of the petition, which has been wrongly mentioned as Cr. Misc. No. 7260 of 2020, be permitted to be corrected as Cr. Misc. No. 61337 of 2019 and the date of order thereof be permitted to be mentioned as 11.12.2019.

Permission is accorded. The correction be carried out during the course of the day.

The petition bearing Cr. Misc. No. 61337 of 2019 was dismissed on account of non-prosecution by an order dated 11.12.2019, where-after the petitioner had approached this Court for restoration of the said petition by filing Cr. Misc. No. 7260 of 2020. A co-ordinate Bench of this Court by an order dated



24.02.2020 passed in Cr. Misc. No. 7260 of 2020 was pleased to restore the aforesaid Cr. Misc. No. 61337 of 2019, however, subject to deposit of a sum of Rs. 500/- with the Patna High Court Legal Services Committee on or before 05.03.2020, nonetheless, the petitioner could not deposit the same, hence, the petition bearing Cr. Misc. No. 61337 of 2019 could not be restored.

Now, again the petitioner has approached this Court by filing the present petition for restoration of the aforesaid Cr. Misc. No. 61337 of 2019 and it has been submitted, by referring to Annexure-2 to the present petition, that the aforesaid sum of Rs. 500/- has already been deposited with the Patna High Court Legal Services Committee on 16.03.2020.

Having regard to the facts and circumstances of the case and considering the fact that the cost imposed by a Co-ordinate Bench of this Court has already been deposited, I deem it fit and proper to direct for restoration of the aforesaid petition bearing Cr. Misc. 61337 of 2019 to its original file.

Accordingly, the present petition is allowed and Cr. Misc. No. 61337 of 2019 is restored to its original file.

Let the said petition bearing Cr. Misc. No. 61337 of 2019 be listed immediately for hearing.

(Mohit Kumar Shah, J)

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