

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66589 of 2021

In
CRIMINAL MISCELLANEOUS No.86114 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- ARA NAGAR District- Bhojpur

VIJAY PRAKASH THAKUR Son of Sri Parash Nath Thakur Resident of
Village - Dubha, P.O. - Rajapur, P.S. - Simari, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Adv.
Mr. Vikash Bharti, Adv
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-12-2021 Heard Mr. Diwakar, learned counsel for the petitioner
and Mr. Murli Dhar, learned APP for the State.

The present application has been filed for restoration
of Cr. Misc. No. 86114 of 2019 which stood dismissed for
default due to non compliance of order dated 28.02.2020 passed
by this Court.

Learned counsel for the petitioner submits that due to
inadvertent mistake the requisites etc., for issuance of notice
upon OP No.2 could not be filed within stipulated time due to
which, Cr. Misc. No. 86114 of 2019 got dismissed for default
due to non compliance of the peremptory order. He further
submits that he will comply with the order dated 28.02.2020
passed in Cr. Misc. No. 86114 of 2019 within two weeks.



Regard being had to the submissions of the learned counsel for the petitioner, Cr. Misc. No. 86114 of 2019 is directed to be restored to its original file subject to the condition that requisites etc for issuance of notice upon OP No.2 shall be filed within two weeks.

Accordingly, the instant petition for restoration stands allowed.

(Anil Kumar Sinha, J)

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