

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20342 of 2022

In
CRIMINAL MISCELLANEOUS No.81323 of 2019

Arising Out of PS. Case No.-758 Year-2018 Thana- MADHEPURA District- Madhepura

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SURYA NARAYAN PRASAD @ SURYA NARAYAN SAH Son of Late Parmeshwary Sah Resident of Village - Madhepura, at present Resident of Village - Vidyapuri , Ward No.18, P,s.- Madhepura, Distt.- Madhhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gourav Kumar Son of Anil Yadav Resident of Village - Lohiya Nagar, Ward No.19, P.S.- Madhepura, Distt.- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-04-2022 Heard.

It appears that the original case i.e. Cr. Misc. No. 81323 of 2019 had stood dismissed on account of non-compliance of the peremptory order dated 09.12.2019, whereafter the petitioner had preferred a restoration petition bearing Cr. Misc. No. 13660 of 2020 and this Court by an order dated 05.03.2020 had directed for restoration of the aforesaid Cr. Misc. No. 81323 of 2019, subject to deposit of a sum of Rs. 500/- with the Patna High Court Legal Services Committee and also subject to removal of the defects within a period of four weeks, however, it appears that though the petitioner has



deposited a sum of Rs. 500/- with the Patna High Court Legal Services Committee, but the defects could not be removed on account of Covid-19 Pandemic situation, hence, the aforesaid Cr. Misc. No. 81323 of 2019 could not be restored.

The learned counsel for the petitioner submits that he would definitely remove all the defects physically within two weeks from today.

Accordingly, the present petition stands allowed and it is directed that the aforesaid Cr. Misc. No. 81323 of 2019 be restored to its original file, however, subject to removal of the defects within two weeks from today.

It is clarified that the Ld. Counsel for the petitioner would be permitted by the registry to remove the defects by physical mode.

(Mohit Kumar Shah, J)

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