

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28733 of 2022

In
CRIMINAL MISCELLANEOUS No.14762 of 2021

Arising Out of PS. Case No.-865 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. PRAMOD KUMAR S/o Deonath Rai Posted as HP (Hypothecation) Manager in Ideal Dealers Pvt. Ltd, Having its Office at Bhagwanpur Chowk, P.S.- Sadar, Muzaffarpur 842001.
 2. DINESH TIWARI S/o Rangnath Tiwari Posted at Territory Incharge in Ideal Dealers Pvt. Ltd, having its office at Bhagwanpur Chowk, P.S.- Sadar, Muzaffarpur- 842001.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SYED ARSHAD RAJA S/o Syed Ahmed Raza Gram and P.O. Bhikhanpur, P.S.- Ahiyapur, District- Muzzafarpur, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2022 Heard learned counsel for the parties.

The present application has been filed seeking restoration of Cr. Misc. No. 14762 of 2021 which stood dismissed for default for non-compliance of the order dated 21.04.2022 by which notices were issued on the opposite party no. 2 by both modes and the notices were to be filed by 27.04.2022.

Learned counsel for the petitioners submits that inadvertently the notices could not be filed by the date as directed by the order dated 21.04.2022 in Cr. Misc. No. 14762



of 2021 but the notices on the opposite party no. 2 were filed on 28.04.2022, as such, Cr. Misc. No. 14762 of 2021 stood dismissed for default.

In view of the pleadings made at para 4, 5 and 6 of the restoration application, the same is allowed and Cr. Misc. No. 14762 of 2021 is restored to its original file.

The office is directed to accept the notice filed on 28.04.2022 for its communication to opposite party no. 2.

Since Cr. Misc. No. 14762 of 2021 has been restored to its original file, as such, the stay order granted in Cr. Misc. No. 14762 of 2021 shall start operating from today.

(Satyavrat Verma, J)

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