

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24970 of 2023

In
CRIMINAL MISCELLANEOUS No.78086 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. NASIM KHAN @ NASIMUDDIN KHAN @ NASIMUDDIN AHMAD KHAN S/O LATE AASIN KHAN Resident of Village- Baria Barun, P.S.- Sherghati, District- Gaya.
 2. NASRUDDIN KHAN @ NASRUDDIN AHMAD KHAN S/O LATE AASIN KHAN Resident of Village- Baria Barun, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-05-2023 The present petition has been filed for restoration of a petition bearing Criminal Miscellaneous No. 78086 of 2019, which has stood dismissed for non-compliance of the peremptory order of this Court dated 2.12.2019.

The learned counsel for the petitioners has submitted that since the defects in question are not such which are required to be cured, the same were not removed, thus, the aforesaid petition be restored to its original file, while granting liberty to the counsel for the petitioners to appear before the registry of this Court and submit his clarification.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also considering the averments made in the present petition, I deem it fit and proper to direct for restoration of the aforesaid petition bearing Criminal Miscellaneous No. 78086 of 2019 to its original file, subject to the petitioners satisfying the registry of this Court that the defects in question are not required to be removed.

The present restoration petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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