

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32529 of 2023

In
CRIMINAL REVISION No.296 of 2018

Arising Out of PS. Case No.- Year-0 Thana- District- Madhepura

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Ritesh Kumar @ Siya Saran Yadav @ Siya Sharan, aged about 38 years,
Male, S/O Natho Yadav, R/O Village- Chikni Fulkaha, P.O- Fulkaha, P.S-
Gamhariya, Distt.- Madhepura.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bibha Devi @ Bibha Kumari, W/O Ritesh Kumar @ Siya Saran Yadav @
Siya Sharan, D/O Triveni Prasad Yadav, at present resident of Village-
Laxminiya, P.S- Gamhariya, Distt.- Madhepura.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Uday Chand Prasad, Advocate
For the State	:	Mrs. Shaheen Begum, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 02-12-2023 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. From perusal of the office notes dated 30.11.2023,
it appears that the notices were issued upon the opposite party
no. 2 under both process and the ordinary notice has been
received by the brother of the opposite party no. 2 but jointness
has not been filed. It has further been pointed out by the office
that undelivered registered cover also received with report of the
postal peon that “addressee not meet, so returned”.

3. Considering the same, service of notice upon the



opposite party no. 2 deemed to be validly served.

4. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

5. The present application has been filed on behalf of
the petitioner for restoration of Cr. Rev. No. 296 of 2018 which
was dismissed on 05.11.2019 for non-prosecution.

6. Considering the submissions as advanced on behalf
of the petitioner and the grounds as stated in the application, the
present restoration application is allowed and Cr. Rev. No. 296
of 2018 is restored to its original file.

(Chandra Prakash Singh, J)

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