

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31647 of 2023

In
CRIMINAL APPEAL (DB) No.645 of 2018

Arising Out of PS. Case No.-113 Year-2014 Thana- WAJIRGANJ District- Gaya

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Vikash Mistry Son Of Shivan Mistry Resident Of Village- Kari, Ps-
Wazirganj, Distt- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 01-12-2023 This restoration application has been filed for
restoration of Cr. Appeal No. 645 of 2018 (D.B.) which stood
dismissed for non-compliance of the order dated 03.05.2019.

2. It is submitted that Cr. Appeal No. 645 of 2018
(D.B.) stood dismissed due to non-removal of one of the defects
pointed out by the Office. It is submitted that Cr. Appeal No. 311
of 2017 (S.J.) was an appeal for bail during trial, however, the
present appeal is against conviction. It is further submitted that
after conviction in the trial Cr. Appeal No. 311 of 2017 (S.J.) for
bail during trial filed by another set of lawyer has become
infructuous and it could not be withdrawn.

3. Learned counsel submits that other defects pointed out by the office have already been removed.

4. Considering the submissions aforesaid, Cr. Appeal (DB) No. 645 of 2018 is restored to its original file and number subject to the compliance of the order dated 03.05.2019 in the said application within a period of two weeks.

5. The restoration application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Partha Sarthy, J)

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