

**In
Criminal Writ Jurisdiction Case No.1473 of 2022**

RAS BEHARI OJHA S/O LATE RAGHUNANDAN OJHA RESIDENT OF
A 107 ROAD NO. 9 SANJAY GANDHI NAGAR, HANUMAN NAGAR,
PS- KANKARBAGH, DIST- PATNA

Versus

1. The State of Bihar BIHAR
2. THE S.P. BHOJPUR BIHAR
3. GOPAL KUMAR OJHA SON OF LATE BRAJ NANDAN OJHA
RESIDENT OF MADANJI KA HATA, PS- NAWADA, DIST- BHOJPUR

Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-11-2023 1. Heard learned counsel for the parties concerned.

2. The present petition has been filed for restoration of a criminal writ petition bearing Cr.W.J.C. no. 1473 of 2022, which has stood dismissed on account of non compliance of the peremptory order dated 20.06.2023.

3. Learned counsel for the petitioner submits that defect no. 6(1) could not be removed due to the fact that despite requisition having been made by the petitioner for obtaining certified copy of the annexures, attached with complaint, the same has not been provided. With regard to other defects, learned counsel for petitioner submits that the same shall be



removed within two weeks.

4. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the averments made in the present petition, I deem it fit and appropriate to restore the aforesaid writ petition bearing Cr.W.J.C. no. 1473 of 2022 to its original file, subject to removal of defects by the petitioner within two weeks except defect no. 6(1) which is ignored at this stage.

5. The present petition stands allowed.

(Anil Kumar Sinha, J)

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