

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17865 of 2024
In
CRIMINAL MISCELLANEOUS No.41608 of 2016

Arising Out of PS. Case No.-1879 Year-2015 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ejaj Ahmad Khan son of Late Md. Jalil Khan Village- Rajpur Kurura Ps-
Dildar Nagar, Dist- Gajipur U.P the then Assistant Sub Inspector Police of
Police of Saraiya Ps- Dist- Muzaffarpur Petitioner/s
Versus

- 1. The State of Bihar
 - 2. Sahnaz Khatoon wife of Naushad alam Village- Gorigawan Po- Repura
Mahadeo Ps- Saraiya Dist- Muzaffarpur
- Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the State : Mr. Ganesh Prasad Singh, APP
For the O.P. No.2 : Mr. Pramod Rajpati, Advocate
Smt. Durga Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-06-2024 The present case has been filed for restoration of Cr.

Misc. Case No. 41608 of 2016 which was dismissed for default
vide order dated 01.12.2023. However, Ld. counsel for the
Petitioner submits that the failure of the petitioner to attend the
matter on the relevant date was neither willful nor negligent, but
on account of unavoidable reasons.

2. Considering the submissions advanced by Ld.
counsel for the Petitioner, the present petition is allowed,
restoring Cr. Misc. No. 41608 of 2016 to its original number.

(Jitendra Kumar, J.)

ravishankar/S.Ali

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