

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30868 of 2024

In
CRIMINAL REVISION No.131 of 2021

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

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Ashish Sultaniya @ Ashish Kumar Son Of Pashupati Nath Sultaniya Resident
Of Village- Station Road Madhepura Ward No. 20, Ps- Madhepura, Dist-
Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivangi Agrawal Wife Of Ashish Sultaniya Resident Of Village- Purani
Bazar, Maheshkhunt, Ps- Maheshkhunt, Dist- Khagaria
3. Aask @ Radheshyam Son Of Ashish Sultania Resident Of Village- Purani
Bazar, Maheshkhunt, Ps- Maheshkhunt, Dist- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swetang Sinha, Advocae
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 26-04-2024 This is an application for restoration of Criminal

Revision No. 131 of 2021 which was dismissed for default on

9th of February, 2024.

2. The application for restoration has been filed on

13th of February, 2024 that is well within the time of limitation.

It is submitted on behalf of the petitioner in the restoration

application that the learned arguing counsel unfortunately had

met with an accident while coming to the Court on 9th of

February, 2024 and when the matter was called on for hearing

he was not present due to such accident.



3. Having heard learned Advocate for the petitioner and on perusal of the petition for restoration, this Court is of the view that the learned counsel for the petitioner was sufficiently prevented from attending the Court on 9th of February, 2024, as a result of which, the aforesaid revision was dismissed for default.

4. Accordingly, the application for restoration is allowed.

5. The revisional application be restored to its file.

6. The petitioner is directed to serve fresh notice upon the opposite party and filed requisites within seven days from the date of this order.

The instant revision shall be listed after receipt of service return.

(Bibek Chaudhuri, J)

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