

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45655 of 2024

In
CRIMINAL MISCELLANEOUS No.13813 of 2016

Arising Out of PS. Case No.-318 Year-2001 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

Md. Matin Son Of Late Md. Yusuf Resident Of Village - Shokhara, P.S. -
Phulwaria, District - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Munna Son Of Md. Hamid Bihar
3. Hare Ram Sharma Son Of Darogi Sharma Bihar
4. Md. Jamal @ Jabbar Son Of Md. Salim Bihar
5. Md. Rahmatwa Son Of Kalim Bihar
6. Md. Balo Son Of Suleman Bihar
7. Yogendra Prasad Son Of Not Known Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The learned counsel for the petitioner submits that
the instant restoration application has been filed seeking
restoration of Cr. Misc. No.13813 of 2016 which stood
dismissed for non-prosecution by order dated 05.09.2023.

3. In peculiar facts of the case the Court is not



inclined to restore Cr. Misc. No.13813 of 2016.

4. It has been submitted that petitioner instituted a criminal complaint against the accused persons in which the accused persons were convicted and the Court while sentencing the accused imposed a fine of Rs. 1000/- against which the complainant moved in revision before the learned District Court, the same was dismissed, thereafter, the petitioner filed quashing application seeking quashing of the order of the revisional court by filing Cr. Misc No. 20707 of 2015 and the same was permitted to be withdrawn by an order dated 25.06.2015.

5. The order dated 25.06.2015 records- After some arguments, learned counsel for the petitioner seeks permission to withdraw this application.

6. It is next submitted that after Cr. Misc. No.20707 of 2015 was permitted to be withdrawn, the petitioner filed the instant quashing application on 28.03.2016 for the same relief as claimed in Cr. Misc. No.20707 of 2015. The instant quashing application also stood dismissed for non-prosecution by an order dated 05.09.2023 and thereafter the instant restoration application came to be filed on 08.05.2024 i.e. after eight months of the order dated 05.09.2023. It appears that the



litigation is frivolous and the petitioner is pursuing it for some
ulterior reasons.

7. The restoration application is dismissed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

