

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73096 of 2024

In
CRIMINAL MISCELLANEOUS No.44229 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- CIVIL LINE District- Gaya

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Jitendra Mishra @ Jitendra Kumar Mishra Son of Late Shiv Shankar Sharan Mishra, Resident of Village- Jamune, P.S.- Chandauti, Distt.- Gaya.

... .. Petitioner

Versus

1. The State of Bihar.
2. Binod Kumar Mishra Son of Late Awadh Bihari Sharan Mishra, Resident of Village- Jamune, P.S.- Chandauti, Distt.- Gaya. At present resident of Mohalla- Pursaini, Mohanlalganj, P.S.- Mohanlalganj, Distt.- Lakhnow (U.P.).

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-10-2024 Heard Mr. Aryan Singh, the learned counsel for the petitioner and Mr. Ajay Kumar Jha, the learned APP for the State.

2. The present restoration application has been filed for restoration of Cr. Misc. No. 44229 of 2024, which stood dismissed for non-compliance of peremptory order dated 18.07.2024.

3. Learned counsel for the petitioner submits that as per direction in the Cr. Misc. No. 44229 of 2024 dated 18.07.2024, petitioner was required to file notice within a period



of one week, but due to laches in his part, he filed the said notice on 24.07.2024.

4. In view of the aforesaid, the prayer for restoration is allowed and Cr. Misc. No. 44229 of 2024 is restored to its original file.

5. Office is directed to use the notice which the petitioner has filed on 24.07.2024.

6. Accordingly, the restoration petition stands disposed of.

(Rajesh Kumar Verma, J)

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