

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82304 of 2024

In
CRIMINAL MISCELLANEOUS No.71536 of 2024

Arising Out of PS. Case No.-12 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Faiyaz @ Md. Faiyaj S/o Md. Wahid @ Mohammad Wahid R/o vill -
Bakari, P.S. - Chhaurahi, Distt.- Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor, representing the State.

2. The present application has been filed for
restoration of Cr. Misc. No. 71536 of 2024 in which peremptory
order dated 05-10-2024, was passed by this Court for issuance
of notice upon the Opposite Party No.2 but, due to non-
compliance of the same within the prescribed time as fixed by
this Court, the same stood rejected.

3. Learned counsel for the petitioner submits that due
to mistake on the part of the Advocate Clerk, the requisite for
notice upon the Opposite Party No.2 could not be filed within
time as prescribed by this Court and, therefore, Cr. Misc. No.



71536 of 2024 got rejected for non-compliance of the aforesaid order dated 05-10-2024.

4. For the reasons stated in this application, the prayer made therein is allowed and, as a result, the Cr. Misc. No. 71536 of 2024 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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