

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85134 of 2024

In
CRIMINAL MISCELLANEOUS No.54618 of 2024

Arising Out of PS. Case No.-798 Year-2023 Thana- SHERGHATI District- Gaya

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Md. Naushad Son of Musha Khalifa Resident of Village - Bhalua Karmauni,
Police Station - Dobhi, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 06-12-2024 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. 54618 of 2024 in which peremptory order dated 02-08-2024, 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.



54618 of 2024 got rejected for non-compliance of the aforesaid order dated 02-08-2024.

4. For the reasons stated in this application, the prayer made therein is allowed and, as a result, the Cr. Misc. No. 54618 of 2024 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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