

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4234 of 2025

In
CRIMINAL APPEAL (SJ) No.4522 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- SC/ST District- Madhubani

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Rajesh Kumar Choudhary S/O Mr. Ram Sarowar Choudhary Resident of
village- Navkarhi PO- Nawkarhi, PS- Arer, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Kumari D/O Mr. Prabhu Paswan Resident of village- Saurath, PS-
Rahika, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 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. Appeal (SJ). No. 4522 of 2024 in which
peremptory order dated 21-11-2024, 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. Appeal (SJ).
No. 4522 of 2024 got rejected for non-compliance of the
aforesaid order dated 21-11-2024.

4. For the reasons stated in this application, the prayer
made therein is allowed and, as a result, the Cr. Appeal (SJ). No.
4522 of 2024 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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