

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14242 of 2025

In
CRIMINAL MISCELLANEOUS No.791 of 2025

Arising Out of PS. Case No.-303 Year-2024 Thana- BATHNAHA District- Sitamarhi

Divyansh Jha S/O Randhir Jha @ Arunesh Jha Resident of Village-
Madhopur, P.S- Bathnaha, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prashant Kumar Jha S/O Palat Jha R/O Village- Madhopu, P.S- Bathnaha,
Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been filed for
restoration of Cr. Misc. No. 791 of 2025 in connection with
Bathnaha P.S. Case No. 303 of 2024, which was dismissed for
non-prosecution of the peremptory order dated 20.01.2025
passed by this Court.

3. Learned counsel for the petitioner submits that vide
aforesaid order dated 20.01.2025, the notice was issued to the
O.P. No.2 through both modes with direction to the petitioner to
file requisites within two weeks, failing which the petitioner



shall stand rejected without further reference to the Bench.

4. Learned counsel for the petitioner further submits that pursuant to the direction of this Court, necessary instruction was given to the Advocate clerk for filing the requisites but, due to inadvertence of the clerk, the same could not be filed within the time prescribed and the case got dismissed for non-prosecution.

5. For the reasons stated in this application and the submissions made in support thereof, the instant petition for restoration is allowed and, as a consequence, the Cr. Misc. No. 791 of 2025 is restored to its original file.

(Rudra Prakash Mishra, J)

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