

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28548 of 2025

In
CRIMINAL MISCELLANEOUS No.83958 of 2024

Arising Out of PS. Case No.-517 Year-2024 Thana- MAJHAULIA District- West Champaran

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KHURSHED ALAM Son of Raj Mahammad @ Raj Mahamad Mia @ Raju Mahammad Miya Resident of Village - Bishunpura, Ward No.- 03, Police Station - Jagdishpur Nautan, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maimul Nesha Wife of Mustufa Miyan Resident of Village - Semra, Madarsa, Ward No.- 03, Police Station - Majhauliya, District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-04-2025 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. 83958 of 2024 to its original file.

3. Learned counsel for the petitioner submits that vide order dated 10.12.2024 notices were issued to Opposite Party No. 2 directing the petitioner to file requisites within a period of two weeks. However, the petitioner failed to file the requisites within the stipulated period of time and the same have been filed after peremptory time and, as a result, the said bail



application stood rejected on 03.01.2025 by virtue of the said order. Learned counsel further submits that petitioner has not deliberately delayed in filing the requisites for notice, but the delay has been caused due to the circumstances that were beyond the control of the petitioner. Learned counsel, therefore, prays that the present restoration application may be allowed.

4. Learned APP for the State raised no objection to the prayer made on behalf of the petitioner.

5. Considering the statements made in the application and the submissions made in support thereof, the present restoration application is allowed and Cr. Misc. No. 83958 of 2024 is restored to its original file.

(Rudra Prakash Mishra, J)

Alok Verma/-

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