

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24516 of 2025

In
CRIMINAL APPEAL (SJ) No.5120 of 2024

Arising Out of PS. Case No.-288 Year-2024 Thana- UDAKISHUNGANJ District-
Madhepura

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Srideo Kumar @ Rishu Raj @ Rishav Raj S/O Late Maheshwer Yadav
Resident of village- Biswari, P.S.- Gwalpara, Distt.- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santu Kumar S/O Late Shyamlal Ram Resident of village- Biswari, P.S.-
Gwalpara, Distt.- Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghaw Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, 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. Appeal (SJ) No. 5120 of 2024 to its original
file.

3. Learned counsel for the petitioner submits that vide
order dated 18.01.2025 notices were issued to Respondent No. 2
directing the petitioner to file requisites within a period of two
weeks. The period of two weeks expired on 31.01.2025 but the
petitioner failed to file the requisites within the stipulated period
of time. 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 further submits that Respondent No. 2 in the said appeal has already appeared and, 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. Appeal (SJ) No. 5120 of 2024 is restored to its original file.

(Rudra Prakash Mishra, J)

Alok Verma/-

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