

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33086 of 2025

In
CRIMINAL MISCELLANEOUS No.9660 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- BIHTA District- Patna

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Rahul Kumar S/o- Bhai Lal Rai @ Lal Rai @ Bhai Lal Yadav Village-
Raghunathpur Ps- Dhanarua Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Simatri Devi W/o- Chintu Ray R/V- Anandpur Ps- Bihta Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kanchan Kumari, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been filed by the petitioner for restoration of Cr. Misc. No. 9660 of 2025 in which peremptory order dated 24.02.2025 was passed by this Court for issuance of notice upon the O.P. No.2 but, due to non-compliance of the same within the prescribed time as fixed by this Court, the same stood rejected on 17.03.2025.

3. Learned counsel for the petitioner submits that due to illness of the Advocate appearing on behalf of the petitioner, the requisite for notice upon the Opposite Party no.2 could not be filed within time as prescribed and, therefore, Cr. Misc. No.



9660 of 2025 got rejected for non-compliance of the aforesaid order dated 24.02.2025.

4. For the reasons stated in this restoration application and the submissions made in support thereof, the present application is allowed and, as a consequence, the Cr. Misc. No. 9660 of 2025 stands restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

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