

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43006 of 2025

In
CRIMINAL APPEAL (SJ) No.1640 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- Kumarbagh District- West Champaran

Rameshwar Sah S/o- Late Vikram Sah Village- Chaubey Tola PS-Kumarbagh
District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Gyanti Kunwar W/o- Late Prabhu Dhangar Village- Lohiyariya
Dhangad Tola Ps- Kumarbagh Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Mohan, Adv.

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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

ORAL ORDER

2 27-06-2025 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. Appeal (SJ) No. 1640 of 2025 in which peremptory order dated 01.05.2025 was passed by this Court for issuance of notice upon the respondent no.2 but, due to non-compliance of the same within the prescribed time as fixed by this Court, the same stood rejected on 14.05.2025.

3. Learned counsel for the petitioner submits that the dismissal of the case for default is neither intentional nor deliberate and mere delay in filing the requisite has caused



inconvenience of this Hon’ble Court, which is deeply regretted with sincere apology.

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. Appeal (SJ) No. 1640 of 2025 stands restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

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