

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76928 of 2025

In
CRIMINAL APPEAL (SJ) No.2380 of 2025

Arising Out of PS. Case No.-530 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Badasah Yadav @ Balshah Yadav son of Hardev Choudhary Resident of
village- Narayanpur, P.S.- Kuchaikote, District -Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha devi wife of Manoj ram Resident of village- Narayanpur, P.S.-
Kuchaikote, District -Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor, representing the State.

2. The present application has been filed for
restoration of Cr. Appeal (SJ) No. 2380 of 2025 in which
peremptory order dated 27-06-2025, was passed by this Court
for issuance of notice upon the Opposite Party No.2 but, due to
non-compliance of the same within the prescribed time as fixed
by this Court, the same stood rejected.

3. Learned counsel for the petitioner submits that due
to the fact that father of the petitioner's counsel suffered a brain
hemorrhage, the requisite for notice upon the Opposite Party



No.2 could not be filed within time as prescribed by this Court and, therefore, Cr. Appeal (SJ) No. 2380 of 2025 got rejected for non-compliance of the aforesaid order dated 27-06-2025.

4. For the reasons stated in this application, the prayer made therein is allowed and, as a result, the Cr. Appeal (SJ) No. 2380 of 2025 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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