

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11577 of 2026**

**In**  
**CRIMINAL MISCELLANEOUS No.77349 of 2025**

Arising Out of PS. Case No.-1218 Year-2024 Thana- DANAPUR District- Patna

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Afzal Rahmani @ Samir Khan S/o- Md. Zubair Rahmani Resident of village-  
Rosra Ward No- 14 PS- Rosra Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Bharti W/o- Bipin Kumar Singh R/v- Tarachak Balaji Nagar Road,  
Saguna More Danapur Dist- Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tanweer Kamal, Advocate  
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

2      13-02-2026                      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. 77349 of 2025 in which peremptory order dated 19.11.2025, was passed by this Court of 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 mistake on the part of the Advocate Clerk, the requisite for notice upon the Opposite Party No. 2 could not be filed within



time as prescribed by this Court and, therefore, Cr. Misc. No. 77349 of 2025 got rejected for non-compliance of the aforesaid order dated 19.11.2025.

4. For the reasons stated in this application, the prayer made therein is allowed and, as a result, the Cr. Misc. No. 77349 of 2025 is restored to its original file.

5. The petition stands allowed.

**(Rudra Prakash Mishra, J)**

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