

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16555 of 2026

In
CRIMINAL APPEAL (SJ) No.3422 of 2025

Arising Out of PS. Case No.-158 Year-2022 Thana- SHANKARPUR District- Madhepura

Dilkhush Yadav @ Dilkhush Kumar Son of Ram Vilas Yadav @ Rambilash
Resident of village - Kabiyahi, P.S.- Shankarpur, District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bablu Paswan Son of Late Badri Paswan Resident of village - Bhirakhi,
Ward No.- 23, P.S. and District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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

ORAL ORDER

2 11-03-2026 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. 3422 of 2025 in which peremptory order dated 21.11.2025, 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. Appeal (SJ) No. 3422 of 2025 got rejected for non-compliance of the aforesaid order dated 21.11.2025.

4. For the reasons stated in this application, the prayer made therein is allowed and, as a result, the Cr. Appeal (SJ) No. 3422 of 2025 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

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