

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33872 of 2026

In
CRIMINAL APPEAL (SJ) No.4900 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- BIHRA District- Saharsa

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Danish Kha @ Danish Khan Son of Sohrab Khan Resident Of Village-
Mohanpur Ps -Navhatta Dist -Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chulhai Paswan Son of Late Rameshwar Paswan Resident Of Village- Bela
Bagraulli, Panchayat Barsher, Ward no. 11, Ps- Bihra, Dist- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

2 15-05-2026 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. 4900 of 2025 to its original
file.

3. Learned counsel for the petitioner submits that vide
order dated 22.01.2026 notices were issued to Respondent No. 2
directing the petitioner herein to file requisites within a period
of two weeks. Learned counsel further submits that petitioner
failed to file the requisites within the stipulated period of time
and, due to non-compliance of the said order, the said appeal



stood dismissed on 05.02.2026. Learned counsel further submits that petitioner has not deliberately delayed in filing the requisites for notice, but the delay has been caused due to the circumstances that were beyond the control of the petitioner. Learned counsel, therefore, prays that the present restoration application may be allowed.

4. Learned APP for the State raised no objection to the prayer made on behalf of the petitioner.

5. Considering the statements made in the application and the submissions made in support thereof, the present restoration application is allowed and Cr. Appeal (SJ) No. 4900 of 2025 is restored to its original file.

(Rudra Prakash Mishra, J)

Alok Verma/-

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