

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37769 of 2026

In
CRIMINAL APPEAL (SJ) No.5166 of 2025

Arising Out of PS. Case No.-889 Year-2024 Thana- PIRBAHOR District- Patna

Rajesh Kumar @ Charsau S/o Krishna Yadav R/o vill - Anet, P.S.- Navadah,
Distt.- Bhojpur, Presently residing Naya Chak (Pul), Khemanichak, P.s.- Ram
Krishna Nagar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

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

ORAL ORDER

2 19-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor, representing the State.

2. The present application has been filed for
restoration of Criminal Appeal (SJ) No. 5166 of 2025 in which
peremptory order dated 05.02.2026, 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 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, Criminal Appeal



(SJ) No. 5166 of 2025 got rejected for non-compliance of the
aforesaid order dated 05.02.2026

4. For the reasons stated in this application, the prayer
made therein is allowed and, as a result, the Criminal Appeal
(SJ) No. 5166 of 2025 is restored to its original file.

5. The petition stands allowed.

(Rudra Prakash Mishra, J)

Raj Kishore/-
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