

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88832 of 2024

In
CRIMINAL MISCELLANEOUS No.35813 of 2018

Arising Out of PS. Case No.-891 Year-2013 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

-
1. Kumari Sujata @ Sujata Kumari @ Sujata Wife of Basant Kumar, D/O- Sri Ram Bilash Singh Resident of Village- Musadpur, P.S.- Barauni, District- Begusarai
 2. Ram Bilash Singh Son of Late Geeta Singh Resident of Village- Musadpur, P.S.- Barauni, District- Begusarai
 3. Ashutosh Kumar Son of Sri Ram Bilash Singh Resident of Village- Musadpur, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Harishankar Kumar @ Hari Shankar Son of Ramakant Kumar Resident of Vill- Dahiya, P.S.- Bhagwanpur, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 11-03-2026

I.A. No.01 of 2025

Heard learned Advocate on behalf of the petitioners.

2. This is an interlocutory application under Section 5 of the Limitation Act praying for condonation of delay by 01 month and 17 days in filing the application for restoration of Cr. Misc. No.85813 of 2018, which stood dismissed for non-prosecution by order dated 18.09.2024.

3. I have perused the averments made in the petition it appears to this Court that the petitioners were sufficiently



prevented from filing the said application within the statutory period of limitation. Therefore, the application under Section 5 of the Limitation Act is allowed and delay is condoned.

4. For the reasons stated in the restoration application, the present restoration application is allowed and Cr. Misc. No. 85813 of 2018 is restored to its original file, subject to payment of cost of Rs.1,000/- to be paid by the petitioner to the Patna High Court Legal Services Committee.

5. Accordingly, the Cr. Misc. No. 88832 of 2024 stands disposed of.

(Bibek Chaudhuri, J)

mdrashid/-

U		T	
---	--	---	--

