

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2672 of 2026**

**In**  
**CRIMINAL REVISION No.458 of 2024**

Arising Out of PS. Case No.-40 Year-2023 Thana- District- Araria

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Hasanain @ Babloo S/O Nizam Resident Of Village- Salaygarh, Police Station- Madanpur O.P., District- Araria

... .. Petitioner/s

Versus

1. Tarannum @ Pinki Wife Of Hasanain @ Babloo Resident Of Village - Salaygarh, Police Station - Madanpur O.P., District - Araria. At Present - Daughter Of Shamim, Resident At Village - Bharaili, P.S. - Jalalgarh, District - Purnea
2. Adab @ Kainen Son Of Hasanain @ Babloo Resident Of Village - Salaygarh, Police Station - Madanpur O.P., District - Araria. At Present Represented Through His Mother Namely Tarannum @ Pinki, Daughter Of Shamim, Resident At Village - Bharaili, P.S. - Jalalgarh, District - Purnea
3. Rimjhim @ Najmin Daughter Of Hasanain @ Babloo Resident Of Village - Salaygarh, Police Station - Madanpur O.P., District - Araria. At Present Represented Through His Mother Namely Tarannum @ Pinki, Daughter Of Shamim, Resident At Village - Bharaili, P.S. - Jalalgarh, District - Purnea
4. Jhilmil Daughter Of Hasanain Resident Of Village - Salaygarh, Police Station - Madanpur O.P., District - Araria. At Present Represented Through His Mother Namely Tarannum @ Pinki, Daughter Of Shamim, Resident At Village - Bharaili, P.S. - Jalalgarh, District - Purnea

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      15-04-2026                      Heard Mr. Ramesh Kumar Singh, learned counsel  
  
                                         appearing on behalf of the petitioner and Mr. Ajit Kumar,  
  
                                         learned APP for the State.

2. The petitioner seeks restoration of Cr. Rev. No.458  
  
of 2024 which stood dismissed for non compliance of the order  
  
dated 06.09.2024.



3. In the opinion of this Court, Section 403 of the BNSS provides as follows:

**“403. Court not to alter judgment.**  
*Save as otherwise provided by this Sanhita or by any other law for the time being in force, no Court, when it has signed its judgment or final order disposing of a case, shall alter or review the same except to correct a clerical or arithmetical error.”*

4. The aforesaid provision, though placing a restriction on alteration or review of a final judgment, does not preclude restoration of a matter dismissed for non-prosecution, upon sufficient cause being shown, in order to secure the ends of justice as held by the Apex Court in the case of ***Vishnu Agarwal vs State Of U.P. & Anr*** passed in ***Criminal Appeal No(S). 1323 Of 2004***.

5. In view of the information and the reason assigned in the restoration application and the affidavit, the Cr. Rev. No.458 of 2024 is restored to its original file.

6. The restoration application stands allowed.

**(Purnendu Singh, J)**

Niraj/-

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