IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.777 of 2026

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1. Ashish Kumar, aged about 46 years,
2. Arun Kumar Gupta, aged about 45 years,
3. Amit Kumar Gupta, aged about 38 years,

All are sons of Sri Vishwanath Prasad, resident of Mohalla Mahuwa Toli, P.O. – GPO Ranchi, P.S. Sukhdeo Nagar, District Ranchi, Jharkhand.

… Petitioners

Versus

1. The State of Jharkhand
2. Pawan Baraik, son of Durga Baraik, resident of Bazra, P.O. Hehal, P.S. Sukhdeo Nagar (Pandra O.P.), District – Ranchi, Jharkhand. … Opposite Parties

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CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Rama Kant Tiwari, Advocate
For the State : Mr. Shailesh Kr. Sinha, Addl.P.P.
For the O.P. No.2 : Mr. Maneesh Kumar, Advocate

Order No:-03 Dated:-11-09-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed by the petitioners with the prayer for restoration of Cr.M.P. No. 05 of 2021 to its original file which stood dismissed for non-compliance of the peremptory order dated 08.05.2023.

Learned counsel for the petitioners submits that Cr.M.P. No. 05 of 2021 was dismissed for non-compliance of the peremptory order dated 08.05.2023. It is next submitted that the petitioner of Cr.M.P. No. 05 of 2021 was directed to remove defects as pointed out by the Stamp Reporter within three weeks but as the conducting counsel got injured in a bus accident and the petitioners had no knowledge about the same, hence, the said defects could not be removed within the stipulated

period; which resulted in dismissal for non-compliance of the peremptory order dated 08.05.2023. It is further submitted that non-compliance of the peremptory order dated 08.05.2023 by the petitioners was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No. 05 of 2021 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No. 05 of 2021 be restored to its original file.

Learned counsel for the State and the learned counsel for the opposite party No.2 have not raised any serious objection to the prayer of the petitioners.

Considering the facts of the case and the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No. 05 of 2021 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list Cr.M.P. No. 05 of 2021 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 11.09.2026
Saroj/