(2026:JHHC:27440)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.1848 of 2026

Prakash Jha, aged about 29 years, son of Umashankar Jha, resident of Hasaur, P.O. + P.S.-Chhapra, District-Sitamadhi, Bihar.

… Petitioner

Versus

1. The State of Jharkhand
2. XYZ (informant)

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ritu Raj, Advocate
For the State : Mr. Pankaj Kumar, P.P.
For the OP 2 : Mr. Shiv Prasad, Advocate

Order No:-04 Dated:-11-09-2026

Heard the parties.

This Criminal Miscellaneous Petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No.2412 of 2025 to its original file which stood dismissed for non-compliance of peremptory order dated 15.04.2026.

It is submitted by the learned counsel for the petitioner that Cr.M.P. No.2412 of 2025 stood dismissed for non-compliance of peremptory order dated 15.04.2026 for depositing the payment of Rs.1,000/- with the Jharkhand State Legal Services Authority (JHALSA) peremptorily within a week. It is next submitted that due to inadvertence on the part of advocate's clerk, the petitioner could not deposit the said payment of Rs.1,000/- with the Jharkhand State Legal Services Authority (JHALSA) within the stipulated time; which resulted in dismissal of the said Cr.M.P. No.2412 of 2025 for non-compliance of peremptory order dated 15.04.2026. It is next submitted that non-compliance of peremptory order dated 15.04.2026 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No.2412 of 2025 and unless the same is restored to its original file, the petitioner will be highly

prejudiced. Hence, it is submitted that the Cr.M.P. No.2412 of 2025 be restored to its original file.

Learned counsel appearing for the State has not raised any serious objection.

Learned counsel for the opposite party No.2 vehemently opposes the prayer of the petitioner for restoration of the said Cr.M.P. No.2412 of 2025 and submits that the opposite party No.2 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party No.2 be compensated adequately.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No.2412 of 2025 is directed to be restored to its original file at the same stage at which it was before its dismissal subject to payment of cost of Rs.5,000/- by the petitioner to the opposite party No.2 through his counsel appearing in the record within four weeks from the date of this order.

Registry is directed to list Cr.M.P. No.2412 of 2025 before the concerned Bench after four weeks only if the petitioner files the proof of payment of the cost of Rs.5,000/- to the opposite party No.2 through his counsel appearing in the record within four weeks from the date of this order failing which this conditional order shall not be given effect to and Cr.M.P. No.2412 of 2025 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

11/09/2026
Abhiraj/