IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.725 of 2026

Shankar Kumar Singh, S/o- L.B. Singh, aged about 45 years, R/o Mateshwari Tower, Bhelatand near Kamal Keteshriya School, P.O.- Nagnagar & P.S. – Barwadda, District – Dhanbad.

… Petitioner

Versus

1. The State of Jharkhand
2. Kalicharan Thakur, S/o Late Sanichar Thakur, R/o Barhidih, P.O. & P.S. Barhi, District Hazaribagh.

⋯ Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Sidhartha Roy, Advocate
For the State : Mr. Shiv Shankar Kumar, Addl.P.P.
For the O.P. No.2 : Mr. Mahadeo Thakur, 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. 3173 of 2022 to its original file which stood dismissed for non-compliance of the peremptory order dated 04.09.2025.

Learned counsel for the petitioner submits that Cr.M.P. No. 3173 of 2022 was dismissed for non-compliance of the peremptory order dated 04.09.2025. It is next submitted that Cr.M.P. No. 3173 of 2022 was listed before this Bench on 04.09.2025 and the prayer for time is allowed subject to deposit of Rs.1,000/- by the petitioner with the Jharkhand State Legal Services Authority (JHALSA) within four weeks but the proof of the said deposit could not be filed within the stipulated time as the same was entrusted to be filed by the Advocate's Clerk but he could not file it as he fell ill; which resulted in Cr.M.P. No. 3173 of 2022

dismissed for non-compliance of the peremptory order dated 04.09.2025. Now the petition has made the said deposit and the copy of which has been annexed with Supplementary Affidavit dated 12.08.2026. It is further submitted that non-appearance of the learned counsel for the petitioner 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. 3173 of 2022 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. 3173 of 2022 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 petitioner.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No. 3173 of 2022 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. 3173 of 2022 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:- 11.09.2026
Saroj/