(2026:JHHC:3254)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.3408 of 2025
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1. Aaman Kumar Srivastava, aged about 45 years, S/o Vishnu Nath Srivastava,
2. Punam Devi, aged about 51 years, W/o Aaman Kumar Srivastava, Both R/o House No.61, Line No.6, East Plant Basti, Burmamines, P.O. & P.S.-Burmamines, Town-Jamshedpur, District-East Singhbhum (Jharkhand).

… Petitioners

Versus

1. The State of Jharkhand
2. Veer Mani Kumar, S/o Ravati Raman Tripathi, R/o-Chitkut Nagar, Road No.10, Danapur, Digha, P.O. + P.S.-Danapur, Distt.-Patna, Bihar.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Amit Kumar, Advocate
For the State : Mr. Rajneesh Vardhan, Addl.P.P.

Order No:-03 Dated:-06-02-2026

Heard the parties.

Though, notice has validly been served upon the opposite party no.2, yet no one turns up on behalf of the opposite party no.2 in spite of repeated calls.

This criminal miscellaneous petition has been filed by the petitioners with the prayer for restoration of Cr.M.P. No.1659 of 2020 to its original file which stood dismissed for non-prosecution on 30.08.2024.

It is submitted by the learned counsel for the petitioners that Cr.M.P. No.1659 of 2020 stood dismissed for non-prosecution on 30.08.2024 by this Court. It is next submitted that due to inadvertence, the learned counsel for the petitioners could not mark the list, hence, the learned counsel for the petitioners could not appear before this Court when the said Cr.M.P. No.1659 of 2020 was called out, resulting in dismissal of the said Cr.M.P. No.1659 of 2020 for non-prosecution. It is next submitted that non-prosecution before this Court on 30.08.2024 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.1659 of 2020 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.1659 of 2020 be restored to its original file.

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

Considering the aforesaid submission of the learned counsel for the petitioner and the facts of this case, Cr.M.P. No.1659 of 2020 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.1659 of 2020 before the concerned Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

06/02/2026
Abhiraj/