

[2026:JHHC:10425]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.181 of 2026

1. Smt. Sarmistha Das @ Sarmistha Lahiry @ Sarmistha Lahiri, aged about 58 years, Daughter of Mr. M. K. Das, W/o Mr. Anirudh Lahiri, Resident of G/4, Birenu Prabhas, Manjari Apartment near Carmel School, Sonari, P.O., P.S. Sonari, District East Singhbhum

2. Vinod Agarwal @ Vinod Kumar Agarwal, aged about 60 years, S/o Late Banwari Lal, Resident of D-22, Astha Hi-Tech City, Kunjnagar, Sonari, P.O., P.S. Sonari, District East Singhbhum

... Petitioners

Versus

1. The State of Jharkhand

2. Rajesh Yadav, S/o Late Ram Yadav, R/o Flat No.3/1, Amarnath Apartment, Naginapuri, Adityapur, - 1, P.O. & P.S.- Adityapur, Dist:- Saraikella Kharsawan

... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mrs. Vani Kumari, Advocate

Ms. Jagriti, Advocate

For the State : Ms. Shweta Singh, Addl. P.P.

For the O.P. No.2 : Mr. Shravan Kumar, Advocate

Order No:-03 Dated:-10-04-2026

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioner with the prayer for restoration of A.B.A. No.2247 of 2025 to its original file which stood dismissed for non-compliance of the peremptory order dated 09.04.2025 passed by this Court.

It is submitted by the learned counsel for the petitioners that A.B.A. No.2247 of 2025 stood dismissed for non-compliance of the peremptory order dated 09.04.2025 passed by this Court to file a supplementary affidavit. It is next submitted that due to personal difficulty of the counsel of the trial court, the petitioners and their Pairvikar could not be informed about the said order, hence, the said supplementary affidavit could not be filed within the stipulated

time which resulted in dismissal of the said A.B.A. No.2247 of 2025 for non-compliance of the said peremptory order dated 09.04.2025 passed by this Court. It is next submitted that non-compliance of the said peremptory order dated 09.04.2025 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said A.B.A. No.2247 of 2025 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the A.B.A. No.2247 of 2025 be restored to its original file.

Learned Addl. P.P. appearing for the State and the learned counsel for the opposite party No.2 have not raised any serious objection.

Considering the facts of the case and the aforesaid submission of the learned counsel for the petitioners, A.B.A. No.2247 of 2025 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 A.B.A. No.2247 of 2025 before the concerned Bench after a week.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)