

[2026:JHHC:10422]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.125 of 2026

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1. Binay Kumar Tiwari @ Vinay Kumar Tiwary, S/o- Baleshwar Tiwari, Aged about 55 Years, Resident of Block No.62/2/1, road No.15, Adityapur, P.O. & P.s.- Adityapur, District- Saraikella Kharsawan, (Jharkhand)
 2. Jitendra Singh @ Jitendra Kumar Singh, S/o- Sri Indar Dev Singh, Aged about 50 Years, Resident of UNI Height Complex, Vastu Vihar, P.O.- Kanta Toli, P.S.- Sadar, District- Ranchi, (Jharkhand)
 3. Basant Kumar, S/o- Shanker Mahto, Aged about 39 Years, Resident of 13-91-1/F-1, AGI Staff Quarters, Near Borabanda, P.O. & P.S.- Hyderabad, Borabanda Step, Borabanda, District- Hyderabad, (Andra Pradesh)
 4. Md. Sahnawaj Akhtar @ Sahnawaj Akhtar, S/o- Md. Shamim Akhtar, Aged about 39 Years, Resident Kaler, P.O.- Sohara, P.S.- Sohara, District- Arwal, (Bihar) ... Petitioners

Versus

1. The State of Jharkhand
2. Anand Kumar Giri, S/o- Sudarshan Giri, R/o- Galaxy Novelty Shop, Main Road, Near District Control Room, Simdega, P.O. & P.S.- Simdega, Dist.- Simdega (Jharkhand) ... Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Indrajit Sinha, Advocate
For the State : Mr. Fahad Allam, Addl. P. P.

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

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.1515 of 2019 to its original file

which stood dismissed for non-compliance of the peremptory order dated 19.08.2024 passed by this Court.

It is submitted by the learned counsel for the petitioners that Cr.M.P. No.1515 of 2019 stood dismissed for non-compliance of the peremptory order dated 19.08.2024 passed by this Court to file a supplementary affidavit annexing therewith the certified copy of the charge-sheet. It is next submitted that due to unavoidable circumstances, the said supplementary affidavit could not be filed within the stipulated time which resulted in dismissal of the said Cr.M.P. No.1515 of 2019 for non-compliance of the said peremptory order dated 19.08.2024 passed by this Court. It is next submitted that non-compliance of the said peremptory order dated 19.08.2024 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.1515 of 2019 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.1515 of 2019 be restored to its original file.

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

Considering the facts of the case and the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No.1515 of 2019 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.1515 of 2019 before the concerned Bench after a week.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)