

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr. M.P. No.1806 of 2021**

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1. Birendra Kumar @ Sonu Yadav @ Birendra Yadav		
2. Mahendra Yadav @ Birendra Yadav		
3. Upendra Vishwakarma		
4. Kuldeep Yadav	...	Petitioners
	Versus	
The State of Jharkhand	...	Opposite Party

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioners	:	Mr. Kamdeo Pandey, Advocate
For the State	:	Mr. Prabir Kr. Chatterjee, Spl. P.P.

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**Order No.02 Dated- 03.09.2021**

Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed by the petitioners with a prayer for restoration of A.B.A. No.1580 of 2021 to its original file which stood dismissed for non-compliance of the peremptory order dated 08.04.2021.

It is submitted by the learned counsel for the petitioners that A.B.A. No.1580 of 2021 stood dismissed for non-compliance of the peremptory order dated 08.04.2021 for filing the supplementary affidavit. Learned counsel for the petitioners submits that as the said supplementary affidavit could not be filed within the stipulated time hence, the same resulted in dismissal of the said A.B.A. No.1580 of 2021. It is further submitted that in the meanwhile the said supplementary affidavit has already been filed. It is also submitted that the laches on the part of the petitioners were neither deliberate nor intentional. It is next submitted that the petitioners have very good grounds to agitate in the said A.B.A. No.1580 of 2021 and unless A.B.A. No.1580 of 2021 is restored to its original file the petitioners will be highly prejudiced. Hence, it is submitted that the A.B.A. No.1580 of 2021 be restored to its original file.

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

Considering the aforesaid submission of the learned counsel for the petitioners, A.B.A. No.1580 of 2021 is directed to be restored to its original file.

Registry is directed to list A.B.A. No.1580 of 2021 before the concerned Bench after a week.

This criminal miscellaneous petition is disposed of accordingly.

**(Anil Kumar Choudhary, J.)**