

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No. 5629 of 2015**

Arising out of P.S. Case No. -124 Year- 2014 Thana -  
MOKAMAH District- PATNA

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Surendra Kumar Sinha S/o Late Gupteshwar Prasad Resident of  
Mohalla Chondhi, Police Station Barh, District Patna.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Akhauri Kaml Kishore Sahay, Adv.

For the Opposite Party/s : Mrs. Anita Kumari, APP.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

ORAL JUDGMENT

**Date: 02-04-2015**

The Petitioner seeks quashing of the order dated  
06.01.2015 passed by the Additional Chief Judicial  
Magistrate, Barh, Patna in Case No. 597(M) of 2014 by which  
he has refused to release his Sumo Vehicle bearing its No.  
BR-52-3771.

The background facts of the case is that it appears  
that the vehicle was used for committing robberies whereafter  
it was seized outside from the house of the Petitioner and  
there is no dispute with regard to its owner-ship.

Considering such aspects of the matter, the order  
dated 06.01.2015 passed by the Additional Chief Judicial  
Magistrate, Barh, Patna in Case No. 597(M) of 2014 by which  
he has refused to release the Sumo Vehicle of the Petitioner

bearing its No. BR-52-3771 is, hereby, set aside.

The Court below is directed to release the aforesaid vehicle in favour of the Petitioner within a period of four weeks from the date of receipt of this order after due verification of the documents. The Petitioner shall give an undertaking that he will not dispose of the vehicle during the pendency of the trial.

The Application stands allowed with the aforesaid observations.

**(Anjana Prakash, J.)**

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