

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24735 of 2012

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Smt. Urmila Devi Wife Of Dr. Krishnadeo Prasad Resident Of B 114,
Budha Colony, Police Station Budha Colony, Town And District Patna

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Verma, Adv.

For the Opposite Party/s : Mr. Anish Chandra, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5 04-05-2015 No one appears on behalf of the O.P. No. 2 on the two
consecutive dates.

The petitioner who happens to be the mother of the
accused Brajesh Kumar seeks quashing of the order dated
20.01.2012 passed by the Additional Sessions Judge, Patna by
which he has refused to interfere with the order dated 27.02.2011
by which the Judicial Magistrate Patna had not recalled the order
of attachment under Section 83 Cr. P.C in connection with Budha
Colony P.S. Case No. 141 of 2010 corresponding to Complaint
Case No. 842 C of 2010.

It has been submitted on behalf of the petitioner that the
process under Section 83 Cr. P.C is unwarranted since the
property does not belong to her son

I find from the order of the Magistrate that the case on

27.07.2011 was still at the stage of investigation. In all probability the order may have been executed by now and steps may have been taken for apprehending accused Brajesh Kumar.

Be that as it may, the authority concerned is directed to make sure with regard to ownership of the property in question before executing the process under Section 83 Cr. P.C. .

With these observations, the applications is disposed off.

(Anjana Prakash, J)

Prakash/-

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