

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49693 of 2014

Arising Out of Barun Sadar PS.Case No. -231 Year- 2013 Thana -BARUN District-
AURANGABAD

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1. Punya Deo Singh @ Pundeo Singh son of Shatrudhan Singh resident of village-
Mau , P.S. - Tekari , District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv.

For the State : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioners seek quashing of the order dated 20.9.2014 passed in Cr. Revision No. 105 of 2014 by which the Additional Sessions Judge III, Aurangabad, has affirmed the order dated 23.7.2014 passed by the Judicial Magistrate 1st Class, Aurangabad, in G.R. No. 2407 of 2013, Trial No. 2002 of 2014 by which he has refused to release Tata Safar vehicle bearing Registration No. BR02W-0405 seized in this connection.

The case of the Prosecution is that on the date of occurrence, the accused persons were found seated on the vehicle along with illegal arms. The Petitioner who happens to be the father of two accused sought release of the vehicle on the ground that it

belonged to him and there was no dispute in regard to the ownership.

The case diary was called for which has been looked into by the A.P.P., who submits that there is no role assigned to the Petitioner during investigation nor there is any dispute with regard to the ownership of the vehicle.

Considering that the vehicle is a perishable article, the Court below is directed to release the vehicle within a period of four weeks from the date of receipt of this order on such bonds as it finds fit and necessary.

The Petitioner shall give an undertaking that he shall produce the vehicle as and when it is required by the Court below.

With the aforesaid observation, the application stands disposed off.

(Anjana Prakash, J)

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