

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48997 of 2014

Arising Out of Baniapur P.S.Case No. -75 Year- 2013 Thana -BANIAPUR District- SARAN

Indrajit Singh @ Indrajeet Singh @ Langar Singh S/o Chitranjan Singh Resident of village Sohail Gajan, P.S. - Baniyapur, District - Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

For the State : Mr. J. Upadhyay, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 12.3.2014 by which 1st Additional Sessions Judge, Chapra, has refused to release Tata Sumo vehicle bearing Registration No. BR 04M-1570 seized in connection with Baniapur P.S. Case No. 75 of 2013.

It has been submitted that there is absolutely no material against the Petitioner during investigation, hence, he was charge sheeted. In such circumstances, non-release of the vehicle which was seized is unjustified.

A report was called for from the District Authority as to whether Confiscation Proceeding has been initiated but it appears that

it has not been done.

The case diary has been gone through by the A.P.P. who states that there is absolutely no complicity of the Petitioner during entire investigation.

In view of such, the Court below is directed to release the vehicle which is a perishable article within a period of four weeks from the date of receipt of this order on verification of the documents on such bonds as found fit.

However, the Petitioner shall file an undertaking that he will produce the vehicle before the Court below as and when it is required.

With aforesaid observation, the application stands disposed off.

S.Ali/-

(Anjana Prakash, J)

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