

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46713 of 2014

Arising Out of PS.Case No. -182 Year- 2012 Thana -RAJNAGAR District- MADHUBANI

Prakash Kumar Jha, Son of Sri Gaya Prasad Jha, residing at Vidyapati Nagar Colony, East of Railway Crossing No.- 11 (D.N.Y. College Road), Revenue village Ranti Paliwar, P.S.- Raj Nagar, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Govind Sah @ Raja, son of late Shivjee Sah, resident of Chandani Chowk Rajnagar, P.S.- Rajnagar, District- Madhubani

.... Opposite Party/s

Appearance :

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

For the State : Mr. Kanhaiya Kishore, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 05-11-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 28.5.2013 by which the Sub Divisional Judicial Magistrate, Madhubani, has refused to release the jewellery, stolen property of Rajnagar P.S. Case No. 182 of 2011 in favour of the Petitioner/the Informant.

It appears that subsequently, the person from whose possession, the jewellery was recovered, also claimed ownership over the said jewellery and so, the Court was in dilemma and resultantly the articles could not be released .

Considering the peculiar circumstances of the case, the

Trial Court is directed to conclude the Trial positively within a period of five months from the date of receipt of this order without granting unnecessary adjournment to any Party and, thereafter, pass appropriate order with regard to release of the articles.

The application stands disposed off with aforesaid observation.

S.Ali/-

(Anjana Prakash, J)

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