

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7874 of 2015

Arising Out of PS.Case No. 23 Year- 2012 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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Ajay Kumar, Son of Late Jagdeo Prasad, resident of Village- Milkipar, P.S.-
Ekangarsarai, District- Nalanda

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

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

For the State : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 26-03-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks release of Rs.1,20,000/- which he
had deposited in the Court below in Ekangarsarai P.S. Case No. 23 of
2012.

The background facts is that the father of the Petitioner
had complained that the Petitioner had withdrawn a sum of
Rs.1,20,000/- from his ATM. During hearing of an application for
anticipatory bail, the Petitioner was directed to deposit the said
amount in the Court below which could be withdrawn by the
Informant after the case was withdrawn. The Informant then filed the
application for withdrawal but no order was passed on the same. In
the meanwhile, he died. Thereafter, the Petitioner and his another

brother filed an application for withdrawal of the amount being the legal heirs but the Court below has not yet passed any order on the same.

Under peculiar circumstances, the Trial Court is directed to ascertain with regard to the legal heirs of the Informant and thereafter, distribute the amount equally to all of them within a period of four weeks from the date of receipt of this order.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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