

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4224 of 2011

Arising Out of PS.Case No. 305 Year- 2009 Thana -null District- VAISHALI(HAJIPUR)

1. Sanjiv Kumar @ Sanjeev Kumar Singh S/O Sri Shankar Singh Resident Of Village- Basaria, P.S- Dalsingsarai, Distt- Samastipur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sushil Kumar Thakur son of late Rama Kanth Thakur, Amgola, District Muzaffarpur, at present Area Manager, M/s North Eastern Carrying Corporation Ltd, Azad Market Delhi (Rambag road), Delhi 110006

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. U. Chand Pd., APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 18-08-2015

The allegation against the Petitioner is that he along with others was distributing proceeds from the looted property.

The Petitioner seeks release of the same in connection with Sessions Trial No.186 of 2010 arising out of Mahua P.S. case No.305 of 2009 pending in the court of Additional District & Sessions Judge, F.T.C. IV, Vaishali at Hajipur on the ground that it was his money.

Considering that the Hon'ble Supreme Court has directed that such articles should not be kept in custody, the order dated 5.10.2010 passed by the Additional District & Sessions Judge, F.T.C. IV, Vaishali at Hajipur in connection with Sessions Trial

No.186 of 2010 arising out of Mahua P.S. case No.305 of 2009 is hereby set aside.

The Court below is directed to immediately release the money in favour of the Petitioner within three weeks from the date of receipt of this order on his undertaking in the Court below that he shall refund the money if at the end of trial he is directed to do so.

. It is also clarified that this order is being passed on the submission of the Petitioner that the trial is still at the same stage and has not proceeded.

With the aforesaid observations, the application stands disposed of.

(Anjana Prakash, J)

Narendra/-

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