

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.361 of 2015

Arising Out of PS.Case No. 610 Year- 2014 Thana Kotwali District- GAYA

Sanjay Kumar, S/o Sri Shiv Shankar Prasad, Resident of Mohalla Neemgali Nadraganj, P.S. Civil Lines, District Gaya, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajeev Ranjan, Drug Inspector (Municipal Area, Gaya) S/o Shri Rajendra Prasad, R/o Ram Jaipal Nagar, Gola Road, Danapur Cant, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.

For the Respondent/s : Mr. R.B.S. Pahepuri, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-05-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks revision of the order dated 10.2.2015 by which the Chief Judicial Magistrate, Gaya, has refused to release the articles seized from the premises of the Petitioner in Kotwali P.S. Case No. 610 of 2014.

It has been submitted that now the Drug Inspector (Municipal Area, Gaya) has no objection to release of the articles, and, hence, the Court below was unjustified in not doing so.

Without going into the merits of the case, I would be inclined to hold that in the interest of justice, the articles should be released, since they are perishable in nature.

The Court below is directed to look into the documents produced by the Petitioner and release the articles within a period of four weeks from the date of receipt of this order with an understanding that if at all the Court requires equivalent value to be refunded to the Court, he shall do so.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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