

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.15120 of 2012**

Arising Out of PS.Case No. -88 Year- 2009 Thana -null District- PATNA

- =====
1. Manoj Kumar, S/O Sri Parmeshwar Singh, resident of village- Tope, P.S- Sahjahanpur, District- Patna, at present Ram Krishna Nagar Sorangpur, P.S- Sorangpur, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar,
2. Sitaram Sah, S/O Gena Sah, resident of village- Malpur, P.S- Patepur, District Vaishali, at present Mohanpur Road, Samastipur.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : None

For the Opposite Party/s : Mr. R. B. Roy Raman, APP  
Mr. Gauri Shanker Pd., Advocate

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 10-02-2015**

No one appears on behalf of the Petitioner.

The Petitioner seeks quashing of the order dated 16.03.2012 passed by the Additional Chief Judicial Magistrate, Danapur, Patna, in Danapur P.S. Case No.88 of 2009 by which he directed release of the Tractor bearing registration no. HR 38A 6315 seized in connection with Danapur P.S. Case No.88 of 2009.

The Petitioner also claimed ownership of the Tractor upon which this Court had directed that the Tractor once again be produced before the Forensic Science Laboratory to decide as to whether Engine No. and Chasis No. are original or tampered.

The report of the Forensic Science Laboratory, Patna, is

that Chasis no. on the battery box and Engine No. on the engine of the Tractor did not bear any marks of tampering or erasure and tampering has been found on another Chasis but no number other than existing Chasis no. could be restored thereon.

In view of the report of the Forensic Science Laboratory, finding no merit in the application, it is dismissed.

Let the report of the Forensic Science Laboratory be communicated to the Court concerned in resealed covered.

**(Anjana Prakash, J)**

JA/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|