

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9987 of 2013

Arising Out of PS.Case No. -75 Year- 2010 Thana -RAMPUR District- -

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1. Jaicky Kumar Nathun Mahton Nauranga, P.S. - Mufassil, Distt. - Gaya

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 19-05-2015

The petitioner seeks quashing of the order dated 29.11.2012 by which the Additional Sessions Judge II, Gaya in Cr. Revision No. 117 of 2012/45 of 2012 affirmed the order dated 28.07.2012 by which the Chief Judicial Magistrate 1st Class, Gaya in Rampur P.S. Case No. 75 of 2010 had refused to release the motorcycle of the petitioner seized in Rampur P.S. Case No. 75 of 2010.

It has been submitted on behalf of the petitioner that there is no dispute with regard to ownership of the motorcycle and hence in view of the various decisions of the Hon, ble Supreme Court motorcycle being perishable item be released in favour of the petitioner.

I am inclined to agree with the submission of the petitioner. Hence the application is allowed. The Court below is

directed to pass appropriate order with regard to release of the motorcycle in favour of the petitioner within four weeks from the date of receipt of this order after due verification of the documents. The petitioner shall give an undertaking that he will not dispute the seizure of the motorcycle nor dispose it till the pendency of the case.

With these observations, the application stands disposed off.

(Anjana Prakash, J)

Prakash/-

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