

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.782 of 2016

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Ramesh Shukla, S/o Chandeshwar Shukla, resident of Mohalla- Bhitari Begumpur,
Police Station- Chowk Patna City, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Home Department
2. The Deputy Inspector General of Police Central Zone, Patna
3. The Officer In-charge, Gandhi Maidan Police Station< Gandhi Maidan Patna
4. The Regional Manager, Karnataka Bank Ltd, 1st Floor, Officer No. 111,
Diamond Prestige No. 41A, A.J.C. Bose Road, Kolkata
5. The Branch Manager, Karnataka Bank Ltd. Exhibition Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajiva Ranjan, Advocate Mr. Jay Ram Prasad, Advocate
For the Respondent/s	:	Mr. M. N. H. Khan, S.C.-1 Ms. Babita Kumari, A.C. to S.C.-1

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 16-09-2016

The petitioner claims to be owner of vehicle Tata Dictor bearing registration no. BR-1PA-0228. Karnataka Bank Limited is said to have financed the said vehicle. The grievance of the petitioner is that the vehicle was seized by the financier and the vehicle is in custody of police since long. Therefore, the vehicle should be directed to be released to the petitioner.

It is also pointed that the petitioner has, in fact, filed an application before the Chief Judicial Magistrate, Patna in the year 2013, but the same has not been decided.

A perusal of the application does not show that

Karnataka Bank Limited has been impleaded as a party in the application who has financed the vehicle as per the petitioner himself. Therefore, it is open to the petitioner to move another application for release of the vehicle by impleading Karnataka Bank Limited or implead Karnataka Bank Limited in the already filed application. The learned Chief Judicial Magistrate, Patna, on filing of a proper application with the Karnataka Bank Limited as one of the respondents, shall decide the same expeditiously, preferably within a period of two months from the date of filing of such an application.

With the aforesaid observation and direction, the writ petition stands disposed of.

(Hemant Gupta, J.)

Sunil/-

AFR/NAFR	N.A.F.R.
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