

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.647 of 2016

Arising Out of PS.Case No. -23 Year-2016 Thana -Barharia District- SIWAN

Prayag Kumar Singh, S/o Late Kashinath Singh, R/o Renua, P.S.- Husainganj,
District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Siwan.
3. S.H.O. Badharia P.S.- Siwan.

.... Respondent/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate.

Mrs. Shruti Sinha, Advocate.

For the Respondent/s : Mr. Chandra Shekhar Singh, A.C. to G.A. 10

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 14-09-2016

Heard learned counsel for the parties.

2. The petitioner is owner of vehicle (Tata 407) bearing Registration No. BR29GA1126. Said vehicle was stolen for which petitioner has lodged a First Information Report registered as Hussainganj P.S. Case No. 19/16. The said vehicle was seized by the police in connection with Barharia P.S. Case No. 23 of 2016. The petitioner has submitted an application for release of the vehicle in Barharia P.S. Case No. 23/16 on 20th of April, 2016 but no order has been passed for the reason that the officer has since been transferred.

3. From the averments made in the writ application, it appears that the petitioner is the owner of the vehicle. As an owner of

the vehicle, petitioner is entitled to possession thereof pending trial.

4. Consequently, the learned Chief Judicial Magistrate, Siwan seized of Barharia P.S. Case No. 23/16 or the competent Duty Magistrate will pass an order for release of the aforesaid vehicle on furnishing of security as the court may consider appropriate. Necessary order will be passed within two days from the date of receipt/production of a copy of this order by the petitioner to the court concerned.

5. The writ application stands disposed of accordingly.

(Hemant Gupta, J)

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