

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.120 of 2016

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Birendra Prasad Keshri, S/o- Late Durga Prasad Keshri, resident of
Kora Maidan Jamalpur Road, P.S. Kasim Bazar, Distt- Munger,
presently posted at Bihar Gramin Bank Branch Office, Hatia More,
Sheikhpura. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Dept. of Transport,
Government of Bihar
2. The State of Bihar through District Transport Officer, Bhagalpur.
3. The District Transport Officer, Bhagalpur.
4. Registrar, Civil Court, Arwal. Respondent/s

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Appearance :

For the Petitioner/s : Miss Shilpi Keshri, Adv.
For the Respondent/s : Mr. R.N.Dubey (AAG 12)
Mr. Sanjay Kumar Singh, AC to AAG-12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 11-02-2016 Heard Miss Shilpi Keshri, learned Counsel,

appearing on behalf of the petitioner, and Mr. Sanjay Kumar
Singh, Assistant Counsel to learned Additional Advocate
General-12, appearing on behalf of the State.

The petitioner is the registered owner of the vehicle
bearing Reg. No.BR-10J-7811, which was, according to the
petitioner, stolen away, on the night of 6.9.2015, from the
residence of the petitioner's wife, whereupon the petitioner's
wife lodged a First Information Report, in this regard, on
7.9.2015, which gave rise to Arwal P.S.Case No.211 of 2015.



Upon recovery of the vehicle, the petitioner filed a petition, on 13.9.2015, in the court of the learned Chief Judicial Magistrate, Arwal, seeking release of the said vehicle. On receiving the report from the respondent No.2, namely, District Transport Officer, Arwal, vide Memo.No.245 of 2015, on 15.9.2015, the learned Chief Judicial Magistrate, Arwal, passed an order, dated 15.9.2015, seeking clarification from respondent No.2 inasmuch as the report, submitted by the District Transport Officer, Arwal, was found to be incorrect or incomplete. The grievance of the writ petitioner is that since 15.9.2015, the District Transport Officer, Arwal, has not responded to the order, dated 15.9.2015, passed by the learned Chief Judicial Magistrate, Arwal, and, the petitioner's petition seeking release of the vehicle has remained pending.

Considering the matter in its entirety and in the interest of justice, it is hereby directed that the respondent No.2 shall, in compliance with the directions given by the learned Chief Judicial Magistrate by his order, dated 15.9.2015, passed in Arwal P.S. Case No.211 of 2015, submit the report to the learned Chief Judicial Magistrate, within a period of one week from the date of receipt/production of a copy of this order and, upon submission of the report, the learned Court below shall

expeditiously dispose of the same in accordance with law, preferably, within a period of two weeks from the date of submission of the report.

This application stands disposed of.

(I.A. Ansari, ACJ)

K.C.jha/-

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