

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.724 of 2016

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Bhola Singh, Son of Ramraj Singh, resident of Village- Suba Bigaha, Ppst Office
Jamuhar, Police Station Dehri, District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar through D.G.P Bihar, Patna
2. The Deputy Inspector General of Police, Shahabad Range, District Rohtas.
3. The Sub-Divisional Officer, Dehari, District Rohtas.
4. The Officer-in-Charge, Dehari Police Station, District Rohtas.
5. The Forester, Tilouthu, at Sasaram, District Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Jha, Advocate
Mr. Shyama Kant Singh, Advocate
Mr. Ramesh Kumar Singh, Advocate

For the Respondent/s : Mrs. Kalpana, A.C. to G.A.-8

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 31-08-2016

The petitioner has invoked the jurisdiction of this Court for setting aside the order passed by the S.D.J.M., Dehri-On- Sone in Forest Case No.10 of 2016 whereby, the request of the petitioner for release of the Truck No. BR-01-GE/3795 and Truck No. BR-01-GB/6538 was not entertained for the reason that the confiscation proceedings have started on 20th February, 2016 and, therefore, the vehicles cannot be released.

Earlier, the petitioner had invoked the jurisdiction of this Court in which this Court had passed an order that since the matter is pending before the Criminal Court, therefore, the remedy of the

petitioner is to take recourse of the provisions of the Code of Criminal Procedure for release of the seized goods/vehicles.

No useful purpose will be served to keep the vehicles seized pending confiscation proceedings which may take some time. Therefore, I deem it appropriate to order release of Truck No.BR-01-GE/3795 and Truck No. BR-01-GB/6538 on superdari to the satisfaction of Sub Divisional Judicial Magistrate, Dehri-on-Sone, District Rohtas in connection with Forest Case No.10 of 2016.

(Hemant Gupta, J.)

Sunil

AFR/NAFR	
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