

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No. 2267 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- JAMUI

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Varun Kumar @ Barun Kumar, Son of Dinesh Singh, Resident of Village -
Madhurapur, Purwari Tola, Police Station - Teghra, District - Begusarai.

.... Petitioner

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Munger Division, Munger.
4. The Deputy Inspector General of Police, Munger Division, Munger.
5. The District Magistrate, Jamui.
6. The Superintendent of Police, Jamui.
7. The Deputy Superintendent of Police, Jamui.
8. The Station House Officer, Sono Police Station, Jamui.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate

For the Respondents : Mr. Anil Kumar Sinha, G.A.-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 22-11-2017

Heard learned counsel for the parties.

2. Mahindra Scorpio of the petitioner bearing registration no. BR-09P2256 was seized by the police in connection with Sono P.S. Case No. 122 of 2017 for the offences under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 41, 47 of the Bihar Prohibition and Excise Act, 2016.

3. Submission of the learned counsel for the petitioner is that no purpose would be served by continued detention of the vehicle till completion of the criminal trial because pre-trial confiscation of the seized article is challenged in L.P.A. No. 1647 of 2015 (**Baleshwar Roy vs. The State of Bihar & Ors.**) before a



Larger Bench of this Court.

4. After hearing the parties, finding substance in the submission aforesaid, let the aforesaid vehicle be released in favour of the petitioner on execution of bank guarantee of Rs.5,00,000/- (rupees five lakhs) or document of immovable property standing in the name of the petitioner to the satisfaction of the learned court below/authority concerned where the case is pending, with condition that the petitioner would not dispose of the said vehicle or put the same under encumbrance without permission of the authority concerned and shall produce as and when required by the Court.

5. The release shall be subject to the final result of the pending L.P.A. aforesaid.

6. With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	25.11.2017
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