

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.948 of 2017

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1. Babu Lal Singh, Son of Sri Parmanand Singh, R/o Village- Issua, P.S.- Sarmera, District- Nalanda.
2. Amarjeet Kumar, Son of Babu Lal Singh, R/o Village- Issua, P.S.- Sarmera, District- Nalanda.

.... Petitioners

Versus

1. The State of Bihar Through Principal Secretary Transport Department, Govt. of Bihar, Patna .
2. The Officer Incharge Bulandkhand Police Station Nawada.
3. Jai Mata Dee Enterprises, Nawada, District- Nawada.

.... Respondents

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Singh, Adv.
For the Respondents : Smt. Anuradha Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 09-08-2017

Heard the parties.

This writ application has been preferred for issuance of mandamus against the respondents to release three trucks bearing registration nos. BR-52A-4999, BR-52A-5599 and BR-52G-4999. The aforesaid trucks were seized while they were carrying sands in unauthorized manner.

Counter affidavit has been filed on behalf of respondent no. 2, the Officer-in-Charge of Bundelkhand Police Station. However, it is not disputed that no case has been registered uptill now for the aforesaid criminal act of carrying sands without permission.

Submission is that the matter has already been reported to the District Mines Officer, Nalanda, by the local police.

Considering the fact that no useful purpose would be served by continued detention of the aforesaid trucks, let the



referred trucks be released by way of interim custody in favour of the owner(s) thereof on verification of the owner book etc. and on execution of surety bonds of Rs. 20,00,000/- (rupees twenty lakh) along with two sureties of each of the trucks as well as with condition that the petitioner shall not disposed off the same without permission of the Court where the case would be pending and shall produce as and when required. The amount of sureties shall not be in the form of bank guarantee or cash.

With the aforesaid observations, this application stands **disposed off**.

(Birendra Kumar, J)

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