

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31258 of 2018
Arising Out of PS.Case No. -4 Year- 2018 Thana -TRAFFIC
District- PATNA

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Quippo Infrastructure Limited, Through Its Authorised Representative Namely, Dharmendra Kumar S/o Rajkumar Prasad, age About 36 years R/o Village+Post-Onda, P.S. Sare, District- Nalanda, Pin- 803107, State of Bihar,.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh
For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-07-2018 The petitioner/company owns the Mixer truck bearing Registration No. WB61-5927 which was seized in connection with Traffic Police Station Saguna More Case No. 04 of 2018 instituted for the offences under Sections 279, 304(A), 427 of the Indian Penal Code.

A prayer was made before the Court below for release of the aforesaid vehicle, for which a report was called for from the R.T.O., Binajpur, West Bengal where the vehicle is registered.

The report which was received in the Court below



inter alia states that there was no requirement of keeping the vehicle in the custody of the Police for any further investigation. The Court below, therefore, by the order dated 09.02.2018 directed for the release of the vehicle referred to above but on the condition of deposit of two indemnity bonds of the valuation of Rs. 14,00,000/- (fourteen lakhs) with two sureties of the like amount. The agent of the company had actually applied for the release of the vehicle and it would be difficult for him to furnish the indemnity bonds of such valuation.

Mr. Manindra Kishore Singh, learned advocate for the petitioner has therefore sought a modification of the aforesaid order passed by the Court below to the extent that the petitioner/company be permitted to furnish bank guarantee of the aforesaid amount of Rs. 14,00,000/- (fourteen lakhs) for the purposes of release of the vehicle.

The aforesaid prayer appears to be genuine.

Let the order dated 09.02.2018 be modified to the extent that the vehicle in question be released in favour of the agent of the petitioner/company, subject to the petitioner/company furnishing a bank guarantee of Rs. 14,00,000/- (fourteen lakhs) along with an undertaking on behalf of the petitioner/company that the vehicle shall be produced before the Court as and when required during the



prosecution of the case.

The order dated 09.02.2018 stands modified accordingly.

The petition is allowed.

(Ashutosh Kumar, J)

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