

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.603 of 2018

Arising out of Jandaha P.S. Case No.145/2015, District-Vaishali

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Bablu Yadav, S/o Jay Prakash Yadav, Resident of Village- Sitarampur, P.S. Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise Department.
2. The District Magistrate, Vaishali.
3. The Superintendent of Police, Vaishali.
4. The Sub-Divisional Officer, Mahua.
5. The B.D.O. Jandaha, District- Vaishali.
6. The S.H.O. Jandaha, P.S. District- Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha (GA 1)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

5 27-06-2018 In view of the stand taken in paragraph 20 of the counter affidavit filed on behalf of the District Magistrate, Vaishali (respondent no.2), this application is being disposed off with a liberty to the petitioner to file an appropriate application before the regular Court in terms of the provisions of the Code of Criminal Procedure.

Learned counsel for the State submits that the case is under the provisions of N.D.P.S Act whereunder the power for release of the vehicle in question would be available to the learned Sessions Judge in exercise of his power conferred under Section 154 of the Cr.P.C.



If an application is filed by the petitioner within a period of thirty (30) days, the same shall be considered by the learned Special Judge, Vaishali at Hajipur, on its own merit and in accordance with law.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha

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