

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1737 of 2018

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Amar Nath Singh, Son of Satya Narayan Singh, Resident of
Village- Mahnar, P.S.- Desari, District- Vaishali (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Mines and Minerals Department, Govt. of Bihar, Patna.
2. The District Magistrate, Vaishali.
3. The Superintendent of Police, Vaishali.
4. The Sub-Divisional Police Officer, Mahnar, District- Vaishali.
5. The Station House Officer, Desari, District-Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Prashant Pratap (GP-2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 14-08-2018 The petitioner has sought a direction to the respondent authorities to release his vehicle, viz. a Truck, which has been directed to be released by the concerned Court *vide* order dated 08.05.2017.

The order dated 08.05.2017 indicates that on No Objection Report by the police, the vehicle was directed to be released.



It has been alleged in the present writ petition that despite such categorical order, the vehicle has not yet been released in favour of the petitioner, on one pretext or the other.

The learned counsel for the State has, however, submitted that the vehicle has not been released in favour of the petitioner only because of his non-appearance before the concerned authority for the vehicle being handed over to him. Perhaps, it has been urged, the petitioner, for the fear of being arrested in the aforesaid case, has not been appearing before the police officer concerned.

Whatever be the circumstances, respondent No. 4/the Sub-Divisional Police Officer, Mahnar, District-Vaishali is directed to release the vehicle in favour of the petitioner above named on his appearance and on his making an application in that regard.

Whether the petitioner is required to be arrested, in connection with any case, is the lookout of the Officer-in-Charge of the concerned case.

It is made clear that this order does not prevent respondent No. 4 from taking action against the petitioner in case it is required. However, on no pretext, the vehicle in question shall be kept behind.



With the aforesaid direction, the writ petition stands disposed of.

(Ashutosh Kumar, J)

Praveen-II/-

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