

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1611 of 2017**

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Chinta Devi, Wife of Raja Ram Singh @ Bhallu Singh, Resident of  
Mohalla- Damodar Colony, P.S. Hajipur Sadar, District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar.
2. The Inspector General of Police (Administration) Main Secretariat, Bihar, Patna.
3. The Dy. Inspector General of Police, Patna Range, Gandhi Maidan Patna.
4. The Senior Superintendent of Police Patna.
5. The Superintendent of Police (Urban), Patna.
6. The S.H.O. Gandhi Maidan Police Station, Gandhi Maidan Patna.
7. M/S Amar Jyoti Bajaj Auto Limited Exhibition Road, Patna- 1 through its Manager.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Kunwar Ajit Singh

For the Respondent/s : Mr. Manish Kumar (GP4)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      19-01-2018                      Heard learned counsel for the petitioner and learned counsel representing the State as well as learned counsel representing the respondent no.7.

Grievance of the petitioner is that even though the motorcycle bearing Reg.No.BR31F-7500 is a registered vehicle in the name of son of this petitioner namely Amar Singh, who has unfortunately gone missing in connection whereof a report has been submitted to the police station, the vehicle is not being handed over to the petitioner on showing proof of ownership and document of registration in the name of her son Amar Singh. The



vehicle is lying with respondent no.7 who has been directed by Gandhi Maidan Police Station that if anybody turns up in the service centre of respondent no.7 to take delivery of the vehicle the same should be immediately informed to Gandhi Maidan Police Station.

Respondent no.7 has filed an affidavit annexing the letter received from Gandhi Maidan police station as also the letter dated 14.01.2017 received from the Crime Branch, Nagpur Town (Maharashtra). It appears that Nagpur Crime Branch had informed the respondent no.7 that the vehicle in question has been used in commission of an offence by one Manish Singh but no action for seizure of the vehicle has been taken so far. It is submitted that Manish Singh happens to be the brother of Amar Singh and is one of the sons of the petitioner. The Nagpur Town Crime Branch has further directed the respondent no.7 that if anybody comes in the show room to receive the vehicle the same should be informed to Gandhi Maidan police station and on the mobile number provided in the letter.

From the pleading on record, one thing is very clear that vehicle in question has not been seized till date in accordance with law. It is suspected that Manish Singh who is brother of Amar Singh and one of the sons of the petitioner had committed



an offence by the said vehicle.

Learned counsel for the respondent no.7 submits that the vehicle is lying in his show room and even repairing charge has not been paid to him. He also submits that he would have no difficulty in handing over the possession of the vehicle.

In the facts and circumstances stated hereinabove, let the vehicle in question be released in favour of the petitioner Chinta Devi on showing document of ownership and registration in the name of one of her sons namely Amar Singh as claimed by her before this Court. It will be in the nature of provisional release and by way of entrustment to her on submitting a surety bond of Rs.75,000/- (seventy five thousand) (not in form of cash or bank guarantee) with two sureties of the like amount.

The petitioner shall not encumber or allow it to be encumbered or alienated by registered owner or his brother and the vehicle shall not be used by Manish Singh against whom the allegations are there. The moment the registered owner Amar Singh is traced out or returned the petitioner will be obliged to bring it to the notice of Gandhi Maidan Police Station and thereupon he will be required to submit his personal bond as well.

The vehicle shall not be used for any illegal activity and the same shall be produced as and when required in the case



as alleged in accordance with law. It will be the responsibility of the petitioner as well as the registered owner. Gandhi Maidan P.S. officer in-charge shall get the formalities completed within a week and thereafter vehicle shall be released by respondent no.7.

The application stands disposed of with the observations and directions made above.

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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