

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.252 of 2018

Arising out of

C.W.J.C. No. 13038 of 2017

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Birendra Singh Son of Moti Lal Singh, Resident of Village- Kurusa, P.S.-
Dinara, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar Through Mr. Amir Subhani, The Principal Secretary,
Registration Excise And Prohibition Department, Government of Bihar,
Patna.
2. Mr Animesh Kumar Parshar, The District Magistrate-cum-Collector, Rohtas
at Sasaram.
3. Mr. Anand Kumar, The Superintendent of Excise, Rohtas at Sasaram.
4. Mr. Narendra Prasad, The S.H.O. Dinara (Bhanas) Police Station, Rohtas at
Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

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

Ms. Aditi Hansaria, A.C. to G.A. 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-02-2018

Inter alia contending that an order passed on 15.09.2017 in C.W.J.C. No. 13038 of 2017 for release of the vehicle has not been complied with inspite of Annexure-2 being submitted for release of the vehicle on 23.09.2017, this application has been filed for initiating action for contempt.

Having heard learned counsel for the parties, we find that on 15.09.2017 the direction issued by this Court was that the petitioner shall furnish two sureties to the satisfaction of the District Magistrate and thereafter the vehicle shall be released to him. That also contemplates filing of the documents with regard to ownership and registration of the vehicle in favour of the petitioner.

On going through Annexure-2 we find that the petitioner has not indicated as to how and in what manner he claims ownership of the vehicle in question, the registration documents of the vehicle and the two sureties have not been



furnished along with Annexure-2.

That being so, we are not inclined to initiate action for contempt. The application stands dismissed. As and when the petitioner complies with the requirement of furnishing surety bonds and submits documents indicating that he is the owner of the vehicle, the District Magistrate shall comply with the directions issued in the writ petition. The District Magistrate should also disclose to the petitioner the amount to which the surety bonds should be furnished.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	19.02.2018
Transmission Date	

