

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1652 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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Manish Kumar Sinha Son of Mithlesh Kumar @ Mithlesh Kumar Sinha
at present resident of Mohalla- Postal Park, Chandmari Road, Police
Station- Jakkanpur, District- Patna. Permanent R/o Old Hospital Road,
Buxar, P.S.+ District- Buxar.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Home Affairs, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Patna.
4. The Superintendent of Police, Patna.
5. The Officer in Charge, Maner, Police Station, District- Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad, S.C.-8

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 25-07-2018

This is yet another case in which the grievance of the petitioner is that his applications seeking release of the vehicle filed in the year 2013 by the driver of the vehicle and then in the year 2014 by the owner of the vehicle have remained pending in the court below and no order has been passed thereon.

The statements made in the writ application, if believed, it is a totally unfortunate situation in which the proceedings of the court below seems to be depending upon the mercy of a police officer who even though called upon to



submit a report has failed to submit such report in the court below. The petitioner has given specific dates in paragraph-11 of the writ application on which date the case was fixed after filing of the release but thereafter no date has been fixed for hearing since long.

Let this matter be brought to the notice of the learned District and Sessions Judge, Patna who will look into the grievance of the petitioner as regards pendency of his application seeking release. If the statements made in the writ application are found to be correct, the learned District and Sessions Judge being the head of the institution of the civil court at Patna and its subordinate courts would constitute an enquiry into the delay in disposal of the application and shall take remedial action in the matter. If, it is found that despite order passed by the court below the police authorities had not submitted the required report then the matter will also be brought to the notice of the Senior Superintendent of Police, Patna who will take stern action against those erring officials in accordance with law. This court is being burdened with this kind of applications where the grievance is that the police reports are not being submitted in time, therefore application seeking release of the



vehicles filed in the court below are not getting disposed off despite lapse of a considerable period. This is not at all a happy situation both for the courts as well as the police authorities.

This application is thus disposed off with the aforesaid directions and observations. It is expected that the application of the petitioner shall be disposed off within a period of one month from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

Rajeev/-

AFR/NAFR	
CAV DATE	
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