

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.1529 of 2018**

**IN**

**Cr. WJC 1903 of 2017**

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1. Sanjay Kumar, Son of Parmanand Prasad, resident of Mohalla - Murgiachak,  
Ward No. - 9, P.S. - Khagaria, District - Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Bhagalpur
3. The Superintendent of Police, Bhagalpur
4. The District Supply Officer, Bhagalpur
5. The SHO, Kahalgaon, P.S. - Kahalgaon, District - Bhagalpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner : Mr. Ram Sumiran Rai

For the Respondents : Mr. Anil Kumar Sinha ( GA-1 )

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 26-09-2018**

Heard learned counsel for the parties.

This application has been filed for modification of the condition for release of the vehicle in favour of the petitioner by order dated 16.10.2017 passed in Cr.W.J.C. No. 1903 of 2017. By the said order, petitioner was to produce bank guarantee of Rs.6,00,000/- (rupees six lacs) for release of his vehicle.

Submission of the petitioner is that the petitioner has no money to give bank guarantee.

However, the petitioner is ready to produce the sale deed in the name of his father as security. In the purchased property of father, petitioner has no right during lifetime of the father and after his



death other Class-I heirs are also entitled.

Hence, in the event of need for recovery of the aforesaid amount, the father may raise objection against auction of his property and his objection would be rightly entertained by any competent authority.

Hence, prayer for modification is refused.

**(Birendra Kumar, J)**

Kundan/-

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