

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.971 of 2018

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

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Krishna Kumar Son of Ram Adhin Yadav Resident of Village - Andhrathadhi, P.S.
- Andhrathadhi, District - Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Block Supply Officer, Andhrathadhi, District - Madhubani.
5. The S.H.O. Rudrapur Police Station - Andhrathadhi, District - Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Respondent/s : None.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

Learned counsel for the petitioner approached this court seeking provisional release of Bolero Pick Up Van bearing Registration No. BR-32GA-2240 which has been seized in connection with Rudrapur P.S. Case No. 70/2017, G.R. No. 1335/2017 for the offence punishable under Section 7 of the Essential Commodities Act.

At the outset learned counsel for the petitioner informs this court that even though he has filed an application for release of the vehicle before the learned S.D.J.M., Jhanjharpur about six months back but the application is still pending, as the report called for by the learned S.D.J.M., Jhanjharpur has yet not been received and therefore except for filing of the present writ application he has no other equal efficacious remedy to apply.

No one appears for the State.

In the facts and circumstances, considering the



submissions of learned counsel for the petitioner that he is willing to abide by the terms and conditions on which vehicle may be released, let there be a provisional release of the vehicle (Pick Up Van) in question within a period of one week on production of proof of ownership and registration of the vehicle in his favour subject to the following conditions:-

(i) Petitioner shall furnish a surety bond of Rs. 6,00,000/- (Six Lakhs only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Jhanjharpur, District – Madhubani.

(ii) Petitioner shall furnish an undertaking that he would not alienate or encumber the vehicle or deal with them adverse to the interest of the State and shall produce the vehicle before the learned S.D.J.M., Jhanjharpur, District – Madhubani., as and when directed.

(iii) A photograph of the vehicle shall be taken and panchnama be also prepared, certified and be kept on record in accordance with law.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.05.2018
Transmission Date	07.05.2018

