

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65703 of 2018

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M/s. Bombay Kandla Transport (P) L.t.d. having its registered office at 58, First Floor, TPT, CTR, Azad Kund, Delhi through its authorized signatory Rajeev Kumar Thakur, son of Lal Babu Thakur, resident of C-412, Main Road, Bhajanpura, Garhi Mendu, P.S. – Azadpur, District – New Delhi.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, District – Patna, Bihar.
4. The Superintendent of Police (Rural), District – Patna, Bihar.
5. The Officer-in-Charge cum Investigating Officer, Parsa Police Station, District – Patna, Bihar.
6. District Magistrate, District – Patna, Bihar.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan

For the Opposite Party : Mr. Sanjay Ghosarvey, A.C. to AAG-III

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 31-10-2018

This application has been filed seeking modification of the last part of the order dated 30.03.2018 passed in Cr.W.J.C. No. 344 of 2018.

Learned counsel for the petitioner submits that in fact no confiscation proceeding is pending before the District Magistrate, Patna, and therefore, the direction of this court to submit the surety bonds with the District Magistrate, Patna is required to be modified to the extent that such sureties may be furnished in the court below where the present Parsa Bazar P.S. Case No. 60 of 2017 is pending.



Learned counsel further submits that the vehicle belongs to the petitioner company whose registered office is at Delhi. There is no office of the company at Patna and despite best efforts during last more than six months the two local sureties could not be arranged to fulfill the conditions prescribed in the order dated 30.03.2018. It is thus submitted that the direction to provide two local sureties may be modified in this case.

Learned counsel for the State is present.

Considering the facts and circumstances of the case this court directs that in place of submission of two local sureties, if the petitioner company through its authorized director submits a fixed deposit/irrevocable bank guarantee of Rs. 15,00,000/- (Rupees Fifteen Lakhs) provided by a scheduled bank, in the court below and keeps on renewing the vehicle in question shall be released. To that extent the order dated 30.03.2018 passed in Cr.W.J.C. No. 344/2018 stands modified.

This application is disposed off.

(Rajeev Ranjan Prasad, J.)

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