

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2178 of 2018

Arising Out of PS. Case No.-101 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

Raju Yadav S/o Shivjatan Yadav R/o Budhuchak, Barmasiya, P.S. - Katihar
Sahayak, Distt - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Deptt., Patna, Bihar.
2. The District Magistrate, Katihar.
3. The Superintendent of Police, Katihar.
4. The S.H.O. Katihar Muffasil Police Station.
5. Chanda Singh W/o Paras Kumar Singh R/o Barmasiya, P.S. - Sahayk, Distt - Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Respondent/s : Mr. Suman Kumar Jha, AC AAG3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-09-2018 This application has been filed seeking release of the vehicle (Bolero Pick Up) bearing registration no. BR11S-9917.

Learned counsel for the State has pointed out that in the nature of the offence alleged in the FIR, the petitioner should have invoked the provisions of the Cr.P.C. for release of the vehicle which has not been done in the present case.

Learned counsel for the petitioner submits that he is not aware as to whether any such application is pending in the court below or not.

In the given facts and circumstances, this application is disposed off with liberty to the petitioner to file an appropriate application in the court below for release of the vehicle. In case



any application has been filed by the petitioner in the court below and the same is pending for consideration, the court below shall consider the same and dispose of the same within a period of 30 days from the date of receipt/production of a copy of this order. In case the petitioner prefers an application within a period of 30 days from today then also the court below shall be taking up the application to consider it on its own merit and shall dispose of the same within a further period of 30 days from the date of filing of the application.

(Rajeev Ranjan Prasad, J)

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