

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2073 of 2018

Arising Out of PS. Case No.- Year- Thana- District- East Champaran

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Nagmani Singh Son of Baliram Singh, resident of Village- Barwa Ward No. 07, P.S. Sangrampur, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur, Bihar
4. The Deputy Inspector General of Police, Bettiah, Range, Bettiah
5. The District Magistrate, Motihari, East Champaran.
6. The Superintendent of Police, Motihari, East Champaran.
7. The Sub- Divisional Police Officer Sadar Motihari, East Champaran.
8. The S.H.O. of Piprakoti, Police Station, Piprakothi Motihari, East Champaran.
9. The Office- Incharge of Chhatauni Police Station, Chhatauni, Motihari, East-Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Radha Mohan Singh, Advocate
		Mr. Ranjan Kumar Jha, Advocate
For Respondents/State	:	Mr. Suman Kumar Jha, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-12-2018 In the present writ application, the following relief

has been sought for on behalf of the petitioner :

1(i) For the release of Hyundai i10 ASTA (4 wheeler) vehicle vide its Registration No. BR-05-M-6401, Chesis No. MLAB51DLFM310123G, Engine No. D3FAFM471363 of the petitioner which has been seized by the respondent no.8 without giving seizure memo to the petitioner or family members of the petitioner on 03.07.2018 after breaking the locks of garage of the house of the petitioner.



Counter affidavit has been filed on behalf of respondent No.6. The same be kept on the record.

Following statement/averment has been made in paragraph 8 of the counter affidavit filed on behalf of the respondent No.6.

“8. That, simultaneously the SHO, Chhatuni P.S. where the vehicle lying in police station premises reported vide D.R. No.836/18, dt. 27.11.18 stating therein that in course of patrolling duty when the police office reached Hawai Adda Chowk Motihari, he found one Hyundai 10 ASTA (4 wheeler) bearing registration No. BR-05M-64-6401 in unclaimed condition, on enquiry on the spot no one turned up claiming the vehicle as owner. For safety measures, the patrolling police officer took the vehicle and put the same in the premises of Chhatauni police station, the action of the police office has been entered as S.D.E. No.50 dt. 03.07.18. It is also reported that till date nobody has turned up claiming the vehicle and requesting for any release.”

As per the stand taken up by the State, the car in question has not been seized in connection of any police case, the petitioner will be at liberty to show/produce the relevant



documents before respondent No.9 in respect of the ownership of the vehicle in question.

The respondent No.9, the Office- Incharge of Chhatauni Police Station, Chhatauni, Motihari, East- Champaran, being satisfied on the point of ownership of the vehicle, shall release the vehicle in question in the light of the statement made in paragraph 8 of the counter affidavit as referred above within a period of two weeks from the date of production of the papers/documents by the petitioner in respect of ownership of the vehicle in question.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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