

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.440 of 2019

Arising Out of PS. Case No.-574 Year-2018 Thana- BARAUNI District- Begusarai

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Shyam Kant Mahto Son of Ram Sharan Mahto R/o village- Daulatpur,
Pandarak, P.S- Bhadaur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Deptt. Secretariat,
Patna
2. The Superintendent of Police, Begusarai
3. The Senior Superintendent of Police, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Sinha, Advocate
For the Respondent/s : Mr.Sheo Shankar Prasad, SC-VIII

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 27-02-2019

This writ petition has been filed by the petitioner seeking release of the properties seized in connection with Barauni P.S. Case No. 574 of 2018 registered on 02.12.2018 under Sections 8, 20(b)(ii)(B) and 22 of the N.D.P.S Act.

2. The contention of the petitioner is that though he has not been made accused in Barauni P.S. Case No.574 of 2018, cash and other articles belonging to him has been seized in connection with the said case. On query, he admitted that no application for release of the seized property has been made before the court of Special Judge, before whom the criminal case is pending.



3. Since the petitioner has got statutory remedy under Section 451 of the Code of Criminal Procedure for release of property pending trial and has not availed of the same, I am not inclined to entertain this writ petition. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	NA
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