

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1267 of 2019

In
Civil Writ Jurisdiction Case No.9927 of 2018

Krishna Devi, Wife of Hemant Sahni @ Heman Sahni, Resident of Village-
Katai, Police Station- Katra, District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar and others. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 26-06-2019 Petitioner is seeking modification of the order dated 17.05.2018 passed in CWJC No.9927 of 2018 by which the Hon'ble Division Bench of this Court had directed provisional release of the vehicle in question on petitioner's satisfying the conditions passed therein.

Learned counsel for the petitioner points out that the chassis number and the engine number as recorded in the FIR and the seizure list are not the correct numbers and because of that while filing the writ petition in paragraph 1, the same chassis number and engine number were recorded inadvertently. It is submitted that because of that mistake in the description of the vehicle, the vehicle in question has not been released so far. It is further submitted that the total quantity of liquor allegedly recovered from the vehicle in question is only three litres and in a large number of cases considering the similar quantity of the



liquor, this Court had been imposing a condition for furnishing of surety bond only and not the bank guarantee. To that extent, he seeks modification of the order.

Learned counsel for the State keeping in view the nature of the modification sought for no substantial objection could be raised.

In the given facts and circumstances of the case having noticed the typographical error committed by the petitioner while filing the writ petition, we allow him to rectify the errors which have occurred in paragraph 1 of the writ petition and further direct that in our order dated 17.05.2018 the conditions for furnishing bank guarantee be modified and replaced by the surety bonds. Thus, on the petitioner's satisfying the condition by furnishing the surety bonds to the extent of the value of the vehicle as indicated in the insurance document, the vehicle in question shall be released.

The application stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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