

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9495 of 2019

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Golu Kumar @ Rohit Kumar Son of Amarnath Yadav Resident of Mohala-kathatiyagali, Jhauganj, Sampatchak, Ashok Rajpath P.s. Gaurichak, Distt. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department of Excise Bihar, Patna.
2. The District Magistrate Patna.
3. The Senior Superintendent of Police Patna.
4. the Deputy Superintendent of Police Patnacity.
5. The Officer in Charge Chowk P.s., Patnacity, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 18-07-2019

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner prays for provisional release of the Samsung JB10JB Mobile phone which has been seized in connection with Chowk P.S. Case No. 103 of 2019 (District Patna) registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



It is stated by learned counsel for the petitioner that confiscation proceeding is yet to be initiated and the mobile phone is under the concerned police station and for which a seizure list was prepared.

Having heard learned counsel for the parties and taking note of the nature of seizure made as well as the fact that the confiscation proceeding is yet to be initiated, we direct that the mobile phone in question be released forthwith within a fortnight in favour of the petitioner on production of documents with respect to mobile in question in his name before the court below.

This writ petition is allowed.

(Jyoti Saran, J)

(Partha Sarthy, J)

sushma/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.08.2019
Transmission Date	NA

