

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1850 of 2019

In
Civil Writ Jurisdiction Case No.2931 of 2019

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Ramjee Sah @ Ramji Gupta (Male), aged about 47 years, S/o Vira Sah
Resident of Village- Kakila, P.S. Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Excise Commissioner, Government of Bihar, Patna
2. The District Magistrate Gaya, District- Gaya.
3. The Senior Superintendent of Police Gaya, District- Gaya.
4. The Superintendent of Police Excise, Gaya, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Pushkar Narain Shahi (Aag6)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 17-07-2019 This modification application is filed for modification of the conditions of release in so far as furnishing of surety is concerned as present in paragraph 1 at page 2 and paragraph 2 at page 3 of our order dated 18.2.2019 passed in C.W.J.C.No. 2931/2019, whereby while prescribing the stipulations for release, the petitioner has been directed to also furnish one local surety.

Mr. Ravindra Kumar Sinha, learned counsel, appears for the petitioner and the State is represented by Mr. Dhirendra Kumar, learned AC to AAG-6.

Mr. Ravindra Kumar Sinha, learned counsel for the



petitioner submits that the petitioner is a resident of the district of Bhojpur and the alleged occurrence took place in the district of Gaya where the vehicle has been seized. He submits that while the petitioner has his assets in the district of Bhojpur for fulfilling all the conditions present in the release order but furnishing of the local surety at Gaya has become onerous for its compliance.

Bearing note of the fact that the petitioner is a resident of Bhojpur in the State of Bihar, while maintaining the other conditions for release so present in our order, we waive of the requirement of furnishing of the 'local' surety as present in paragraph 1 at page 2 and paragraph 2 at page 3 of our order dated 18.2.2019 which shall stand modified to read as 'one surety' in place of 'one local surety' and shall be deemed to have been pronounced as such.

The modification application is allowed to the above extent.

(Jyoti Saran, J)

Surendra/-

(Arvind Srivastava, J)

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