

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1460 of 2019

Arising Out of PS. Case No.-215 Year-2015 Thana- BRAHMPURA District- Muzaffarpur

Md. Samim Son of Hashim Resident of Mohalla - Mahamad, P.O. -
Dharmpur, P.S. - Minapur, District - Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
2. The Manager, Mahindra Finance Co. Pvt. Ltd. Muzaffarpur Bihar
3. Prashant Kumar Singh Son of Sri Ram Kant Singh Resident of Village -
Ahmadpur, P.S. - Sarai Ranjan, District - Samastipur

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Chauhan
For the Respondent/s : Mr.Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Perused the office notes.

This application has been filed by the petitioner for setting aside the order dated 30.07.2018 passed by the learned Judicial Magistrate 1st Class, Muzaffarpur in Trial No. 599 of 2018 arising out of Brahmpura P.S. Case No. 215 of 2015 whereby the application for release of the JCB bearing registration no. BR0-10C/5061 has been rejected.

Since the petitioner has a statutory remedy available under Sections 397 and 401 of the Code of Criminal Procedure as also under Section 482 of the Code of Criminal Procedure, I



am not inclined to entertain the present application preferred under Articles 226 and 227 of the Constitution of India.

In that view of the matter, the application is dismissed with liberty to the petitioner to avail the statutory remedy available in law for the redressal of his grievance.

(Ashwani Kumar Singh, J)

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