

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14953 of 2019

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Gayam Prakash Singh, aged about 52 years (Male), son of Late Yadu Singh,
Resident of Village- Yadu More Mashrakh, Police Station- Mashrakh,
District- Saran.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Excise and Prohibition, Government of Bihar, Patna, Old Secretariat, Patna.
2. The Excise Commissioner, Government of Bihar, Old Secretariat, Patna, Bihar.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Officer-in-Charge of Police Station, Town Samastipur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh, Adv.
For the Respondent/s : Mr.Vivek Prasad (GP7)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

2 22-10-2019 Heard Sri Krishna Kumar Singh, learned counsel for
the petitioner and learned AC to Govt. Pleader no.7.

The petitioner, claiming to be registered owner of a
four wheeler i.e. Maruti Suzuki *D zire*, bearing Registration no.
BR-01DF-1452, has invoked writ jurisdiction of this Court
under Article 226 of the Constitution of India, with a prayer to
direct the respondents to release his vehicle, whereas in the
F.I.R., the petitioner, being owner of the vehicle, has been made



accused. On being asked, learned counsel for the petitioner submits that the petitioner has not appeared before the court below.

The Court is of the opinion that in a case, in which the petitioner, who is an accused, has filed writ petition without following process of law, his writ petition may not be entertained.

Accordingly, the writ petition stands disposed of with indication that if the petitioner appears before the court below and released or is granted privilege of anticipatory bail, in that event only he can approach the Court for the relief, which has been sought for in the present writ petition.

(Rakesh Kumar, J.)

(Anjani Kumar Sharan, J.)

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