

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3242 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Manoj Mahto Son, of Nepo Mahton @ Nepo Rai, Resident of Manjhaul,
Ward No.10, Police Station- Cheriya Bariyarpur (Manjhaul O.P.), District-
Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department Of Excise,
Government of Bihar, Patna
2. The District Magistrate, Begusarai.
3. Station House Officer, Cheriya Bariyarpur Police Station, District- Begusarai.
4. Sub Inspector of Police, Station House Officer, Manjhaul O.P. Cheriya
Bariyarpur Police Station, District- Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Dhar Jha, Advocate
For the Respondent/s	:	Mr.Anil Kumar Sinha,GA-1

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-02-2019 Though this writ petition has been filed by the

petitioner for a direction to the authority concerned to release

Bolero Pickup Van bearing Registration No. BR-9E-3970 in

favour of the petitioner, which was seized by the police in

connection with Cheriya Bariyarpur (Manjhaul O.P.) Police

Station Case No. 57 of 2018, learned counsel appearing for the

petitioner submitted that the writ petition may be disposed of

directing the learned Additional Sessions Judge-II-Cum-Special

Judge, Begusarai to dispose of the petition dated 03.05.2018

filed under Section 451 of the Code of Criminal Procedure for

release of the said vehicle.



He submitted that on the aforesaid petition, the court below had called for a report from the District Magistrate vide order dated 16.05.2018 and also from the Station House Officer, Cheriya Bariyarpur, Manjhaul. The report of the concerned police station has been received, but the application is not being disposed of for want of report of the District Magistrate.

Considering the submissions made above, as the court cannot keep a matter pending for an indefinite period awaiting the report of the District Magistrate, the writ petition is disposed of with a direction to the learned Additional Sessions Judge-II-Cum-Special Judge, Begusarai to dispose of the application for release of his vehicle filed by the petitioner without any further delay, preferably within three weeks from the date of receipt/production of a copy of the order in accordance with law.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

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