

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.156 of 2020

Arising Out of PS. Case No.-264 Year-2018 Thana- AKBARPUR District- Nawada

AMAR JYOTI, aged about 34 years, Male, Son of Shravan Kumar Resident
of Village - Pachgaon, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Patna, Bihar
3. The Superintendent of Police, Nawada
4. The Station -House- Officer, Akbarpur, P.S.- Nawada
5. Raju Kumar, Sub-Inspector of Police, Akbarpur, P.S.- Nawada

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyabir Bharti, Advocate
For the Respondent/s : Mr.M. Nasrul Huda Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-02-2020 It is the grievance of the petitioner that the Investigating Officer of Akbarpur P.S. Case No. 264/2018 has taken away the vehicle being Truck belonging to this petitioner on 06.11.2019 but the seizure of the same has not been reported to the jurisdictional Magistrate. Prior to the same, the process under Section 82 Cr.P.C. has been taken out against the petitioner and the same had already been executed on 05.08.2019. In this connection learned counsel refers Annexure '4' to the present writ application and submits that in any case if the truck in question was seized by police, as is being claimed, in course of investigation, a seizure list should have been



submitted in the court below and thereupon the petitioner could have made an appropriate application in the court below for release of the vehicle, but since in this case no seizure list has been submitted in the court below, the petitioner had no option but to move this Court directly.

Learned counsel for the State submits that if this is the grievance of the petitioner, appropriate direction may be issued in this regard to the Superintendent of Police, Nawada who will look into the grievance of the petitioner and appropriate steps may be taken in the court below.

Having heard learned counsel for the petitioner and learned counsel for the State, since this Court finds that in Annexure '4' which is a report submitted by the Investigating Officer to the court below, it is stated that the truck in question has been seized in course of investigation on 06.11.2019 and the same has been brought for purpose of investigation and verification in the police station and after police verification, appropriate action shall be taken as per direction, this Court directs the Superintendent of Police, Nawada (respondent no. 3) to ensure that the said verification with regard to the truck in question which was undertaken on 06.11.2019 should no longer be prolonged and a verification report as also seizure thereof must



be reported to the court below within one week from the date of receipt/production of a copy of this order.

It will be open for the petitioner to seek his remedy regarding release of the vehicle, in accordance with law in the court below.

This Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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