

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1096 of 2020

In

Civil Writ Jurisdiction Case No.18971 of 2019

Deepak Kumar Choudhari, aged about 23 (Male), Son of Rajendra Chaudhary
Resident of Village- Sitanabad (South), P.S.- Simri Bakhtiyarpur, District-
Saharsa, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Sri B. Kartikey Dhanji, the Principal Secretary,
Excise Department, Patna (Bihar).
2. Sri Rajneesh, The Excise Officer, Bihar Prohibition and Excise Department,
Saharsa.
3. Sri Kaushal Kumar, The District Magistrate, Saharsa.
4. Sri Rakesh Kumar, The Superintendent of Police, District- Saharsa (Bihar).
5. Sri Anil Kumar Singh, The In-charge, Police Station Bakhtiyarpur, District-
Saharsa (Bihar).
6. Sri Ambika Sharma, The Assistant Police Inspector, Bakhtiyarpur Police
Station, District- Saharsa.

... .. Respondent/Opposite Parties/Contemnors

Appearance :

For the Petitioner/s : Mr.Indu Shekhar Dwivedi, Adv.
For the Opposite Party/s : Mr. Lalit Kishore (AG)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

4 03-03-2021 Heard learned counsel for the parties.

The present application has been filed for initiation of
contempt proceeding against the opposite parties for deliberate
disobedience of the order of this Court dated 16.12.2019 passed
in C.W.J.C. No. 18971 of 2019.



Learned counsel for the petitioner has supplied the hard copy of the show-cause filed on behalf of the opposite party nos. 1 to 5.

Let it be kept on record.

We have perused the show-cause from where it appears that the office of the District Magistrate, Saharsa was to release the vehicle but, it has been pointed out that the petitioner has not come forward with the indemnity bond in terms of the order passed by this Court. It has also been stated that the defect was pointed out by the Bench Clerk of the Court of District Magistrate, Saharsa to the counsel for the petitioner to appear physically and remove the defect but, he failed to turn up and did not remove the defect.

In that view of the matter, this Court does not find any merit in the present contempt application.

The petitioner, if so advised, may approach to the Office of the District Magistrate, Saharsa and file indemnity bond in terms of the order of this Court.

It goes without saying that if the defect is removed, the District Magistrate, Saharsa will release the vehicle forthwith.

With the aforementioned observation, this contempt



application is disposed of.

(Shivaji Pandey, J)

(Prabhat Kumar Singh, J)

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