

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11105 of 2021**

Arising Out of PS. Case No.-1372 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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SURENDRA PRASAD Son of Ramji Mahto Resident of Village Sailaven
Tola koiri bigha, P.S. Madanpur District - Aurangabad, At present R/o Janta
Colony Bairagi P.S. Delha, District - Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Avinet @ Avinesh Singh, the Manager Tata Motors Finance Ltd 2nd Floor
Balajee Gharana Building, B2/104 A.P. Colony P.S. Rampur District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The present petition has been filed for quashing the
order dated 20.10.2020, passed by the learned Sessions Judge,
Gaya in Cr. Revision no. 74 of 2020, whereby and whereunder
the order dated 20.03.2020, passed by the learned court of First
Class Magistrate, Gaya dismissing the complaint petition of the
complainant, has been upheld.

At this juncture, this Court, while referring to the
impugned order dated 20.10.2020, passed by the learned
Sessions Judge, Gaya has put a query to the learned counsel for
the petitioner as to whether the petitioner would like to avail the



liberty granted to him to file a fresh civil suit for recovery of the money paid and the loss suffered by him on account of his vehicle being seized by the Finance Company, to which, the answer is in the affirmative.

Accordingly, the present petition stands disposed off as not pressed, however with liberty to the petitioner to file a fresh civil suit for recovery of the money paid and the loss suffered by him, as has already been granted by the learned court of Sessions Judge, Gaya, by the impugned order dated 20.10.2020.

(Mohit Kumar Shah, J)

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