

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1074 of 2021

Arising Out of PS. Case No.-466 Year-2009 Thana- DEHRI TOWN District- Rohtas

RAVINDRA KUMAR SINGH @ RABINDRA KUMAR SINGH S/O
BISHWANATH SINGH RESIDENT OF MOHALLA- QUARTER NO.
S/269, DALMIANAGAR, S.BLOCK, P.S.- DALMIANAGAR, DISTRICT-
ROHTAS, PERMANENT RESIDENT OF VILLAGE- SHAKHUAN, P.S.-
KARGAHAR, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF
POLICE, BIHAR, PATNA BIHAR
2. THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA BIHAR
3. THE SUPERINTENDENT OF POLICE, ROHTAS AT SASARAM BIHAR
4. THE OFFICER-IN-CHARGE, DEHRI POLICE STATION, DEHRI,
DISTRICT- ROHTAS BIHAR
5. THE INVESTIGATING OFFICER, DEHRI P.S. CASE NO. 466/2009
BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 21-09-2023 Heard learned counsel for the parties concerned.

2. The present writ application has been filed for
a direction to the Police authority to release a sum of
Rs.1,47,000/- in favour of the petitioner which was seized
in connection with Dehri P.S. Case No. 466 of 2009.

3. Mr. Sanjeev Kumar, learned counsel
appearing for the petitioner submits that on 27.9.2021 Dehri



P.S. Case No. 466 of 2009 was registered under Sections 414, 420, 467, 468, 474, 120-B, 201 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act against the petitioner alleging therein that the informant along with Police Party formed a team and raided the premises of *Sriram Dhram Kata* at G.T. Road, village *Sakhara*. The double storied building of the *Dhram Kata* owned by Ajay Singh was searched and several articles were recovered from his possession. The Police also searched the room of the petitioner who is allegedly a business partner of Ajay Singh and recovered a sum of Rs.1,47,000/- from the room of the petitioner because the petitioner did not explain the possession of the said money satisfactorily to the Police.

4. According to the petitioner, the Sessions Trial No. 236 of 2010 arising out of Dehri P.S. Case No. 466 of 2009 concluded in acquittal of the petitioner and others from all charges on 23.8.2019.

5. The petitioner filed a petition for release of the amount after his acquittal on 20.12.2019 in Sessions Trial No. 236 of 2010 but the amount could not be released and no order was passed upon the petition for release because



the trial had finally concluded and file was sent to record room.

6. Counter affidavit has been filed by the respondent State duly sworn by Dy. Superintendent of Police, Headquarter, Rohtas, and in paragraph-7 of the counter affidavit it has been stated that if the petitioner submits a petition along with release order the amount so seized will be released to the petitioner after ascertaining his identity.

7. Mr. Nadim Seraj, learned G.P. 5 submits that if the release order is passed by the competent court, the money in question shall be released in favour of the petitioner after ascertaining his identity.

8. Having heard learned counsel for the parties and taking into consideration the nature of prayer made in this writ application and the stand taken by the State in the counter affidavit, I direct the Superintendent of Police, Rohtas, to ensure release of a sum of Rs.1,47,000/- in favour of the petitioner which was seized vide Seizure list



dated 27.9.2009 from the possession of the petitioner.

9. It goes without saying that the amount in question shall be released within a period of three weeks from the date of receipt/production of a copy of this order after ascertaining the identity of the petitioner along with his affidavit.

10. With aforesaid observation and direction, this writ application stands disposed of.

(Anil Kumar Sinha, J)

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