

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3294 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- KANKARBAG District- Patna

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Raja Kumar S/o Bhola Saw Resident of Mohalla - Postal Park, Road, No. 1,
P.S- Kankarbagh, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Home Department, Government of Bihar, Patna Bihar
2. The Additional Chief Secretary, Home Department , Government of Bihar, Patna Bihar
3. The Senior Superintendent of Police, Patna Bihar
4. The Station Head Officer, P.S - Kankarbagh, District - Patna Bihar
5. The Station Head Officer, P.S - Harihar Nath, District - Saran Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sharma, Advocate
For the Respondent/s	:	Mr. Ravi Kumar, AC to GP-13
		Mr. Akshay Lal Prasad, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-01-2026 The present writ petition has been filed for direction to the concerned respondent authority to release the stolen vehicle (Pulsar motorcycle) bearing Registration No. BR01HL0466, Chassis No. MD2B72BX1PPG53770, Engine No. JEXPPG53869 of the petitioner which has been stolen by unknown persons for which Kankarbagh P.S. Case No. 96 of 2025, dated 27.01.2025 was registered for the offence under Section 303(2) of B.N.S. and thereafter, said vehicle was seized in Hariharnath P.S. Case No. 34 of 2025, dated 03.03.2025



registered for the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

2. Learned counsel for the petitioner submits that the petitioner has already registered FIR on 27.01.2025 for theft of his vehicle and thereafter, same vehicle was used by the miscreants in transportation of illicit liquor. The petitioner or his vehicle could not be made liable for transportation of illicit liquor. Even then the petitioner has approached the authority by filing representation (Annexure-4), the vehicle of the petitioner has not been released.

3. Learned counsel appearing on behalf of State-respondents submits that appropriate orders may be passed in this case since the FIR of the petitioner has been registered much prior to registration of the second FIR in which motorcycle has been seized and has been kept in custody.

4. From perusal of record and submission made on behalf of the parties, it is very much apparent that the petitioner is being harassed for no reason. The motorcycle of the petitioner was stolen and he lodged Kankarbagh P.S. Case No. 96 of 2025 for the theft. Subsequently, the motorcycle of the petitioner was seized by the police in connection with Hariharnath P.S. Case No. 34 of 2025 was registered on 03.03.2025. If the petitioner



approached the authority concerned for release of his vehicle, the authority concerned should have passed order taking into consideration the earlier lodged FIR of the petitioner regarding theft of his motorcycle. But it appears no orders have been passed till date.

5. In the light of aforesaid discussion, the petitioner is directed to approach the authority concerned afresh by filing representation for release of his motorcylce bearing Registration No. BR011HL0466 within a week and thereafter, the authority concerned is directed to pass appropriate order in connection with release of the motorcycle of the petitioner within a month.

6. With the aforesaid observation and direction, the present petition stands disposed of.

(Arun Kumar Jha, J)

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