
(2011) 09 JH CK 0067

Jharkhand High Court

Case No: Writ Petition (Cr.) No. 259 of 2011

Prem Narayan Shivhare

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision: Sept. 23, 2011

Hon'ble Judges: Prakash Tatia, C.J

Bench: Single Bench

Final Decision: Allowed

Judgement

Prakash Tatia, C.J.

Heard learned Counsel for the Petitioner.

2. The only grievance of the Petitioner is that while ordering release of the vehicle i.e., Mahindra Pick up van, an order has been passed by the court below to furnish bank guarantee of Rs. 2.50,000/- as also uptodate documents, like insurance and tax papers.

3. Contention of the counsel for the Petitioner is that the amount of bank guarantee may be reduced and the Petitioner will furnish the documents, if they are required to be deposited in any manner with respect to Insurance and tax payment paper, within a period of one month from the date of release of his vehicle.

4. The demand of the bank guarantee appears to be in higher side, therefore, the order is modified and it is ordered that if the Petitioner furnishes the bank guarantee of rupees one lac, the vehicle in question may be released in favour of the Petitioner and Petitioner may furnish insurance and the tax payment receipt within a period of one month from the date of release of the vehicle. In case of non furnishing of these documents also, the Petitioner shall be liable to surrender the vehicle in question.

5. The writ petition of the Petitioner is allowed accordingly.