

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABUA
(Criminal Revision No. 04 of 2026)**

In re:

Jasbir Singh

..... Revisionist

V/s

State of Bihar

..... Opposite Party

12.03.2026

ORDER

This revision petition has been filed on behalf of revisionist U/s. 438 & 440 of BNSS against the order dated 01.12.2025 passed by Ld. CJM, Bhabua in Traffic Case No. 38/2024.

2. Revisionist has stated that he is special power attorney holder and has filed a release petition of seized Container bearing Reg. No. PB65AD7023, Chassis No. MAT503017GAA00912 on dated 01.12.2025 before CJM, Bhabua and on the same day, an order was passed to release the vehicle in favour of Director of PALLIA TRANS LOGISTICS P LTD, 995 phase 4, sector 59, Mohali PB160059, however, the Director of the company has executed a special power of attorney in favour of revisionist but the Ld. CJM did not consider this fact and released the vehicle in favour of Director of the company. It is submitted on behalf of revisionist that the Managing Director Mr. Vipur Nanda has made a special power of attorney in favour of Jasbir Singh and it is mentioned in SPA that (a) to institute any suits or proceedings in the name of company and to defend any suit or proceedings instituted against the company in any court, tribunal or authority or arbitrator in connection with the seized vehicle; (b) to sign, file, verify and present pleadings, appeal, cross objection,

withdrawal, compromise or other affidavit and documents as may be deemed necessary for the release of above stated vehicle from the concern authority; (c) to receive and to make correspondence and to sign the same as the company's true representative under the signature and to do all lawful acts and deeds which so ever are necessary for the purpose; (d) and generally to do all other lawful acts and deeds which may be found necessary for safeguarding of company's interest; (e) that all his acts and deeds done in this regard will be final and binding upon the company; (f) to apply for superdari of the vehicle under his signature. It is further submitted that the director of the company is a very busy person and even though a special power of attorney exists, it is not justify for the court to release the vehicle in favour of Director of the aforesaid company especially since the director has already executed a special power of attorney in favour of revisionist. It is, therefore, prayed that the impugned order of Ld. CJM dated 01.12.2025 may please be set aside.

3. Ld. PP for the state has opposed the revision petition stating that there is no infirmity or illegality in the order of Ld. CJM and prayed for the dismissal of this petition.
4. I have heard the arguments advanced on behalf of revisionist and Ld. PP for the state and perused the material on record. It transpires from perusal of case record that an FIR was lodged on dated 21.08.2024 against driver Pradeep Prasad Varma of container bearing Reg. No. PB65AD7023 for rashly and negligently driving the vehicle and seriously injured the nephew of informant who later on died during the course of treatment. It further transpires that the impugned vehicle bearing Reg. No. PB65AD7023 was found to be registered in the name of company PALLIA TRANS LOGISTICS P LTD registered at 995, phase 4, sector 59 Mohali PB160059. A report of investigation officer of the case dated 22.11.2025 is also on record in which it is mentioned that the impugned vehicle, container bearing Reg. No. PB65AD7023 is no more required for the investigation of the case and he has no objection if the impugned vehicle is released. The documents regarding transportation of the vehicle that i.e. insurance, PUC and inter state permit of the vehicle is also on record. It is submitted on behalf of revisionist that he is the special power of attorney holder on

behalf of company and ready to submit the indemnity bond for the release of vehicle. The original copy of special power of attorney in the name of revisionist is also placed on record. It is further submitted that the impugned vehicle is lying in the open and deteriorating and the company is suffering loss due to non plying of the vehicle. I agree with the submissions made by the counsel for revisionist that the impugned vehicle is no more required for the investigation of the case and no purpose is served in holding the vehicle.

5. Considering the aforesaid facts and circumstances, this revision petition is allowed and the order dated 01.12.2025 of the Ld. CJM, Bhabhua is hereby set aside and the Ld CJM, Bhabua is further directed to release the impugned vehicle in favour of revisionist on furnishing indemnity bond of Rs. 13,00,000/- (thirteen lakhs) with one surety of like amount.

Let a copy of this order alongwith trial court record be sent back to the concern court immediately. O/c is directed to consign this case file to record room. (Dictated)

Sd/-
Sessions Judge