

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.672 of 2015

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Girish Narayan Singh son of late Suraj Singh, resident of Village Sasna
(Madhuban Tola), P.S. Kudra, District Kaimur

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Sone Bhawan, Birchand Patel Path.
3. The District Manager, State Food Corporation, Kaimur at Bhabhua.
4. The Officer-in-Charge, Kudra Police Station, District Kaimur.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Farooque Ahmad Khan with
Mr. Dharmendra Kumar Singh, Advocates

For the State : Mr. Ashok Kumar Chaudhary, AAG 13
with
Ms. Reema Kumar AC to AAG 13

For the Respondents
No 2 and 3 (BSFC) : Mr. Awadhesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

2 22-07-2015 Heard learned counsel for the petitioner, learned A.C.
to A.A.G. 13 for the State and learned counsel for the respondents
no. 2 and 3.

Though the relief sought in the writ application was



for quashing of the F.I.R. of Kudra P.S. Case No. 61 of 2015 dated 01.04.2015 but learned counsel for the petitioner, in view of motion slip filed which was allowed for out of turn hearing, submits that he will restrict his relief to opening of the lock/seal of his rice mill/godown. It is further submitted that he is agreeable to the authorities lifting the rice which may be found in the mill/godown and the same be adjusted against the outstanding claim of the respondents no. 2 and 3.

The Court finds such prayer to be reasonable as in any view of the matter no useful purpose, much less any public interest, is served by keeping the rice mill and godown under lock and key. It is in the fitness of things that the rice mill is made to function.

Learned counsel for the respondents do not object to the writ application being disposed off in the aforementioned terms.

Accordingly, the application stands disposed off with a direction to the concerned respondent(s) to open the seal/lock of the mill/godown of the petitioner in presence of the petitioner or his representative and also in presence of the officer(s) concerned and such proceeding may also be videographed for record. The rice lying in the mill/godown, if found in proper condition, shall

also be lifted by the authorities of the State Food Corporation in terms of Clause 10 of the agreement between the parties. The amount so lifted shall be adjusted against the outstanding claim of the State Food Corporation against the petitioner.

At this juncture, learned counsel for the petitioner submits that he also undertakes to supply the amount of remaining rice within three months.

In view of the aforesaid, if the petitioner satisfies the amount of rice due against him by 15th November, 2015, the F.I.R. of Kudra P.S. Case No. 61 of 2015 shall stand quashed, failing which the same shall proceed in accordance with law. Till 15th November, 2015 no coercive measures shall be taken against the petitioner with regard to Kudra P.S. Case No. 61 of 2015. The order to open the lock/seal of the mill/godown be complied within one week from today.

(Ahsanuddin Amanullah, J)

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