

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.596 of 2015

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Faraz Ahmad @ Feraj Ahmad, son of Shabir Ahmad, resident of mohalla
Sumali, P.S. Sherghati, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Sasaram
2. The Block Agriculture Officer, Kochas, Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Respondent/s : Mr. Ajay Behari Sinha, SC-19

Mr. Suryakant Kumar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 09-06-2015

Heard learned counsel for the petitioner and the

State.

2. Petitioner claims himself to be the owner of the

truck bearing Registration No. UP67T-2229 which was seized in

connection with Kochas P.S. Case No. 01/15, G.R. No. 02/15

registered for the offence under Section 7 of the Essential

Commodities Act.

3. It is submitted on behalf of the petitioner with

reference to Letter No. 100 dated 16.01.2015 of the Additional

Collector (Legal), Rohtas at Sasaram, Annexure-3 addressed to

Sub-Divisional Judicial Magistrate, Rohtas at Sasaram that no

confiscation proceeding for confiscation of the aforesaid truck has

been initiated and such information the Additional Collector has

furnished with reference to the confiscation register maintained in

the office of the Collector/ District Magistrate. It is submitted that petitioner has filed application for release of the aforesaid truck before the Sub-Divisional Judicial Magistrate, Rohtas at Sasaram but the said application is not being considered and the next date fixed in the case is 19.06.2015.

4. Having heard counsel for the parties, I direct the Sub-Divisional Judicial Magistrate, Rohtas at Sasaram to consider the request of the petitioner for release of the truck bearing Registration No. UP67T-2229 in accordance with law taking into account all the relevant materials including the ownership document and pass appropriate order in the matter in accordance with law. If Sub-Divisional Judicial Magistrate, Rohtas at Sasaram decides to release the truck then he should seek appropriate security for its production.

5. This petition is, accordingly, disposed of.

(V.N. Sinha, J)

Rajesh/-

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