

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17902 of 2015

- =====
1. Jitendra Rai, S/o Raghubir Rai, Resident of Dhoboliya, Kothi, P.S.- Chakiya, Motihari, District- East Champaran
 2. Sirajuddin, S/o Samsuddin Miyan, Resident of Bas Ghat, P.S.- Chakiya, Motihari, District- East Champaran

.... Petitioners

Versus

1. The State of Bihar through the Collector, East Champaran at Motihari
2. The Collector, East Champaran at Motihari
3. The Block Development Officer, Madhuban, East Champaran at Motihari

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Respondent/s : Mr. Aag13-A.K.Chaudhary

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 27-11-2015

Heard learned counsel for the petitioner and the State.

Petitioner no.1 is the owner of Truck bearing registration no. BR 05GA 3170 and petitioner no.2 is the owner of Truck bearing registration no. BR 06G 4325 seized on 30.04.2015 by the Block Development Officer, Madhuban, giving rise to Madhuban P.S. case no. 103 of 2015, dated 30.04.2015, under Section 7 of the Essential Commodities Act.

The aforesaid two trucks were seized along with wheat loaded on it.

The petitioners' case is that they are not the owner of the wheat, rather their trucks were hired for transportation purposes only.

In view of the fact that the vehicles are commercial vehicles, no useful purpose would be served by keeping it seized for a long time and this Court is of the view that the same be released in favour of the petitioners on verification of ownership documents on furnishing adequate security to the satisfaction of Judicial Magistrate, 1st Class, Sadar, Motihari.

It is made clear that the release of the trucks in question will be subject to the result of criminal prosecution and/or Confiscation case, if any.

This writ application stands disposed of.

(Samarendra Pratap Singh, J.)

Uday/-

U			
---	--	--	--