

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2821 of 2015

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Om Prakash Yadav S/o - Nawal Kishore Yadav R/o - Village - Laxmipur,
P.S. - Udakishanganj, Distt. - Madhepura. Petitioner

Versus

1. The State of Bihar
 2. The Distt. Magistrate, Madhepura,
 3. The S.D.O. Udakishanganj, Distt. - Madhepura.
 4. The Distt. Transport Officer, Madhepura
 5. The Block Supply Officer, Gawalpara, P.S. - Gawalpara, Distt. –
Madhepura.
 6. The Officer Incharge, Gawalpara, Distt. - Madhepura. Respondents
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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Respondent/s : Mr R.N.Dubey, AAG 12.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 01-09-2015 The petitioner, holding power of attorney, prays for release of his Truck bearing Registration No. WB-23A 5657 which had been seized by respondent no.5 while engaged in carrying food grains for black marketing.

The petitioner submits that the Truck in question is lying in open sky and no purpose would be served in keeping it under seizure. Earlier, the DM, Madhepura had directed its release vide order dated 15.7.2014 in Essential Commodities Case no. 23 of 2010, provided the petitioner deposited the market value of the same.

Order dated 15.7.2014 of the DM, Madhepura passed in Essential Commodities Case no. 23 of 2010 is modified to the

extent that if the petitioner deposits adequate surety, 10% of which would be in the form of the cash, the same would be released in favour of the petitioner, pending final adjudication of the criminal case.

(Samarendra Pratap Singh, J)

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