

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18331 of 2016

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Chandan Kumar, son of Shankar Yadav, resident of Mohalla-Raj Kumar Ganj, P.S.-
University, District-Darbhangha.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Agricultural Department, Govt. of Bihar, Patna.
2. The Collector, Purnea.
3. The Block Agriculture Officer, Purnea, East Purnea.

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. AC to AAG-13

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 23-12-2016

Heard learned counsel for the petitioner and state.

The petitioner seeks release of two Tata 407 vehicles bearing registration no. BR-06GA-1193 and BR-06GA-3956 which were seized by the Block Agricultural Officer, Purnea East, Purnea giving rise to Sadar P.S. Case No.366 of 2016 under section 7 of the Essential Commodities Act.

It is contended that a confiscation proceeding has also been initiated as Confiscation Case no. 261 of 2016 but not concluded.

It is contended on behalf of the petitioner that the aforesaid vehicles are lying uncared in the premise of the police station in open sky and that would rot, if it is not handed over to the petitioner.

Having regard to the aforementioned facts and



circumstances, this Court deems it fit and proper to direct the confiscating authority to provisionally release the two Tata 407 vehicles bearing registration no. BR-06GA-1193 and BR-06GA-3956 in favour of the petitioner on furnishing sufficient security/ surety/ guarantee to the satisfaction of the Collector, Purnea and after due verification of ownership and further with a condition that whenever the vehicles in question would be required either in the confiscation proceeding or police case, that has to be produced by the owner in whose favour that would be released and further that he would not dispose of, alter or modify the vehicles till the aforesaid cases are pending.

The release would be subject to the result of the confiscation case as well as the final result of the criminal case concerned.

It is expected that the whole exercise would be completed within a period of 08 weeks from the date of receipt/ production of a copy of this order.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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