

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18516 of 2015

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1. Jai Kishore Sah, S/o Laxman Prasad Sah
 2. Gopal Kumar, S/o Laxman Prasad Sah
 3. Rahul Jain S/o Gobardhan Jain

All are residents of Balua Kaliyaganj, P.S. - Palasi, District - Araria.

.... Petitioners

Versus

1. The State of Bihar through the Collector, Purnea.
2. The Collector, Purnea.
3. The Block Supply Officer, Kasba, Purnea.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Respondent/s : Mr. Mithilesh Kumar Pathak- SC-7

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-02-2016 The petitioners are permitted to make necessary correction in paragraph 44 of the writ petition as it is submitted that due to inadvertence, it has been stated that no notice under Section 6 (A) of the Essential Commodities Act was ever served upon the petitioner.

Heard learned counsel for the petitioners and the State.

The petitioners seek release of 150 bags of wheat weighing about 90 quintals seized by the Block Supply Officer, Kasba, Purnea on 2.01.2015 which has culminated into registration of Kasba P.S. Case No.3/2015 under Section 7 of the Essential Commodities Act and Section 420 of the Indian Penal

Code as well as Confiscation Case No.72/2015.

Having regard to the facts and circumstances of the case and the fact that the seized article is wheat which is perishable items, this Court would direct the Confiscating Authority to release the seized 150 bags of wheat after ascertaining itself regarding ownership and upon furnishing sufficient security to its satisfaction within a period of one month from the date of receipt/production of a copy of this order.

It is made clear that the aforesaid release of wheat would be subject to the result of the confiscation case as well as the concerned criminal case.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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