

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5492 of 2017

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1. Pramila Devi W/o Upendra Sah Resident of Village- Barahiya Dheniraj
tola, P.S. Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
For the State : Mr. S.Raza Ahmad-AAG5
Md. Anisul Haque, AC to AAg-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is claiming to be the owner of the pick-
up-van which was loaded with the subsidize grain under
different scheme of the Government. The vehicle was
intercepted and it was kept in custody whereafter the
Collector who is the competent authority has initiated a
confiscation case vide Case No.61 of 2016-17 arising out of
Bharia P.S. Case No.139 of 2016.

Learned counsel for the petitioner submits that keeping
the vehicle, under the vagaries of nature, in the campus of the
police station will ultimately complete loss to him as after



some time it would turn to junk. Petitioner undertakes that whenever there will be necessity of the vehicle, he will produce the same by the confiscation officer or police officer or by the court. He also undertakes that during the pendency of the proceeding he will not in any manner change the feature of the vehicle nor create any third party right and when there will be any necessity of repairing the same will be done only after permission from the competent authority.

In view of such statement made at the Bar, let the vehicle be released and petitioner is directed to file an affidavit in this regard as aforesaid and also furnish personal guarantee and thereafter the Collector, Lakhisarai will release the vehicle after taking sufficient security according to value of the vehicle and before release of the vehicle the Collector, Lakhisarai will verify the ownership of the same .

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

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