

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1487 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- AURANGABAD

- =====
1. Sanjay Kumar Singh son of Sri Mahendra Singh resident of Village Chandokhar Dudhar, P.O. Bara, P.S. Nabinagar, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Bihar, Patna.
2. The Bihar State Food and Civil Supply Corporation Ltd., District Office, Aurangabad.
3. The District Certificate Officer, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sanjay Kumar Giri, GP-9
For the B.S.F.C. : Mr. Nirmal Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 15-09-2017

Heard learned counsel for the parties.

2. Petitioner is in civil prison since last six months for non-compliance of the orders passed in Certificate Case No. 46 of 2014-15. The petitioner has disclosed his property by filing supplementary affidavit. Section 15 of the Bihar and Orissa Public Demand Recovery Act prescribes mode of execution of the certificate, first by attachment and sale of property and second by arrest of the certificate debtor.

3. Since the petitioner has already disclosed his immovable property to the Collector vide Annexure-1 of the supplementary



affidavit, there is no reason to detain the petitioner furthermore in view of the provisions of Section 39 of the said Act. Hence, let the petitioner, above named, be released on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Certificate Officer, Aurangabad.

3. With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.09.2017
Transmission Date	21.09.2017

