

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8727 of 2015

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1. Heera Lal Verma Son of Rami Verma, Resident of Village - Parsa Bujurg, P.S. Chandradeep, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The Secretary, Auditor General, Bihar, Patna.
3. The District Magistrate, Jamui.
4. The District Marketing Officer, Jamui.
5. The Assistant District Marketing Officer, Jamui.
6. The District Treasury Officer, Jamui. null null
7. The Block Marketing Officer, E. Nagar, Aliganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the State : Mr. Kamlesh kishore, AC to SC 12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph no.1 of the writ petition.

In the present case petitioner is claiming for return of the seized goods (184 bags of wheat i.e. 92 quintals) which was subject matter of Sikandara P.S. Case No.1180 of 2004. After seizure of the goods a confiscation proceeding was also initiated and criminal trial started against the petitioner. In the criminal trial the petitioner has been let out and thereafter petitioner has filed an application for release of the goods.



In the counter affidavit filed on behalf of the State it has been mentioned that as the goods are perishable in nature, on that account the goods were sold and money has been deposited in the treasury. Petitioner, if so advised, may file an application before the Collector, Jamui and if order has not been set aside as yet he will be obliged to pass an order for release of auctioned amount which has been deposited in the district treasury.

The Collector, Jamui is directed to complete all process within a period of two months from the date of receipt/production of a copy of this order.

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

(Shivaji Pandey, J)

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