

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1678 of 2017

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

- =====
1. Brajesh Baranwal Son of Sri Sukhilal Baranwal, R/o Village- Sohagra, P.O.-
Sohagra, P.S.- Guthani, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar Through The Collector, Siwan.
2. The District Magistrate Cum Collector , Siwan.
3. The Supply Inspector Cum Block Supply Officer, Guthani, Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate

For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-10-2017

Heard learned counsel for the parties.

2. This writ application has been preferred for quashing the order dated 18.05.2017 passed by the Collector, Siwan (Respondent No.2) in Essential Commodities Act Case No.114 of 2017-18, whereby 280 bags of wheat of the petitioner was ordered to be released in favour of the petitioner on providing bank guarantee equal to the market value of the wheat.

3. Submission of the learned counsel for the petitioner is that the condition imposed for release of the wheat is harsh one and in similar circumstances a coordinate Bench of this Court in CWJC No.622 of 2017 vide Annexure-6 had directed to deposit bank



guarantee/cash of 10% of the total cost of the goods.

4. Considering the substance in the submission aforesaid, let the impugned order be modified to the extent that the petitioner would give surety of Rs.4,00,000/- (Four Lacs) out of which 10% of Rs.4,00,000/- would be through bank guarantee for release of the seized wheat.

5. With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.10.2017
Transmission Date	

