

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16410 of 2018

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Rajesh Kumar, son of Yogeshwar Singh, resident of village Chananiya
Saidpura, P.S. Surajgarha, district Lakhisarai . Petitioner

Versus

1. The State of Bihar through Principal Secreary, Food & Civil Supply
Department, Bihar
2. The Collector, Lakhisarai
3. The SDO, Lakhisarai
4. The Block Supply Officer, Pipariya, Lakhisarai ... Respondents
- =====

Appearance :

For the Petitioner : Mr. N.K. Agarwal, Sr. Adv. with
Mr. Vijay Anand, Adv.
For the Respondents : Mr. S.Raza Ahmad, AAG V with
Mr. Anisul Haque, AC to AAG V

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Mill Chaniniya, the truck got stopped and the food grain seized. He submits that the petitioner is the rice mill owner in the district of Lakhisarai and not a PDS dealer. It is also submitted that rice being a perishable commodity be released in favour of the petitioner and he undertakes to furnish sufficient security.

4. Learned counsel for the State is present and is heard.

5. Considering the nature of prayer, let the food grains seized in connection with Halsi (Ramgarh Chowk) P.S. Case No. 98 of 2018 be released in favour of the petitioner on furnishing of sufficient security to the satisfaction of the Subdivisional Judicial Magistrate, Lakhisarai. The said release shall be subject to the final result of Halsi (Ramgarh Chowk) P.S. Case No. 98 of 2018 and the Confiscation Case No. 36 of 2018.

6. The writ application is **allowed**, as above.

(Nilu Agrawal, J)

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