

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1071 of 2016

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Binod Sao @ Binod Kumar, S/O Babulal Sao R/o Village- Siriyama, P.S.-
Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food & Civil Supply, Govt. of Bihar Patna.
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The S.D.O. Sherghati, Gaya.
5. The Block Supply Officer, Mohanpur, Gaya.
6. The Block Development Officer, Mohanpur, Gaya.
7. The S.H.O., Mohanpur Police Station, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.-1

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2018 The present writ application has been filed for release of the 225 bags of wheat each containing 112.5 quintal which were seized in connection with Barachati (Mohanpur) P.S. Case No.328 of 2016, District-Gaya under Section 7 of the E.C. Act.

Although, no one appears on behalf of the State, but a counter affidavit is there on the record and this Court has gone through the same.

The State in its counter affidavit has stated that in connection with the seized wheat confiscation case has been



started before the Collector, Gaya in which vide order dated 01.12.2016 a direction was issued to the Sub-Divisional Officer, Sherghati to sell the seized wheat and the officer concerned had taken action accordingly.

Learned counsel for the petitioner does not dispute the aforesaid facts as appearing from the counter affidavit.

In the facts and circumstances of the case, nothing survives further for adjudication in the present writ application. The application has become infructuous and it is dismissed accordingly.

Petitioner is at liberty to challenge the said confiscation proceeding, if so advised, in accordance with law.

(Rajeev Ranjan Prasad, J)

Arvind/-

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